

**COMPLETED**

02-8608-02-PA

**POTENTIAL HAZARDOUS WASTE SITE
PRELIMINARY ASSESSMENT**

FILE COPY

Buster's Junkyard
Site Name

NJ New NJD 981560949
EPA Site ID Number

1572F Pepper Road
Browns Mills, NJ 08015
Address

02-8608-02
TDD Number

Date of Site Visit: Off-site Reconnaissance 8/19/86

163426



SITE DESCRIPTION

Buster's Junkyard is located in a residential area of Browns Mills, New Jersey. A six foot stockade fence surrounds the site and two dogs guard the gate. Many junked cars and trucks were observed on the property within the fence.

Most residents in the area use groundwater for drinking. Blueberry fields and cranberry bogs are within 3 miles of the site.

Site history reveals alleged chemical wastes dumped on the property in 1975. The Burlington County Health Department (BCHD) and NJDEP investigated the site in 1975 and found drums buried onsite. These drums may have originated from the nearby Lang Property.

Also in 1975, the Pemberton Twp. fire department responded to a chemical fire involving drums.

In 1983, the NJDEP inspected the site again and cited the owner for illegally landfilling household garbage, demolition wastes, and bulky items. The owner was also cited by the Pinelands Commission for infractions.

PRIORITY FOR FURTHER ACTION: High Medium X Low None

RECOMMENDATIONS

It is recommended that a site investigation be conducted as background information supports allegations of chemical dumping at the junkyard. Local residents have shallow wells, that should be sampled for potential contamination.

Prepared by: Laurie Gneiding
of NUS Corporation

Date: 8/21/86

POTENTIAL HAZARDOUS WASTE SITE
PRELIMINARY ASSESSMENT
PART 1 - SITE LOCATION AND INSPECTION INFORMATION

1. IDENTIFICATION
01 STATE 02 SITE NUMBER
NJ NEW

II. SITE NAME AND LOCATION

01 SITE NAME (Legal, common, or descriptive name of site) 02 STREET, ROUTE NO., OR SPECIFIC LOCATION IDENTIFIER
Buster's Junkyard 1572F Pepper Road
03 CITY 04 STATE 05 ZIP CODE 06 COUNTY 07 COUNTY 08 CONG DIST.
Browns Mills NJ 08015 Burlington 005 04
09 COORDINATES

LATITUDE

LONGITUDE

3 90 5 90 0 0". W 0 7 40 3 2' 1 8". N

10 DIRECTIONS TO SITE (Starting from nearest public road)

County Rt. 530 (Lakehurst Road) south. Left on Ridge Road, left on Aspen Way, right on Pepper Road.

III. RESPONSIBLE PARTIES

01 OWNER (if known) 02 STREET (Business, mailing, residential)
Leonard Perrine 1572F Pepper Road
03 CITY 04 STATE 05 ZIP CODE 06 TELEPHONE NUMBER
Browns Mills NJ 08015 (609) 893-5575
07 OPERATOR (if known and different from owner) 08 STREET (Business, mailing, residential)
09 CITY 10 STATE 11 ZIP CODE 12 TELEPHONE NUMBER
()

13 TYPE OF OWNERSHIP (Check one)

☒ A. PRIVATE ☐ B. FEDERAL: (Agency name) ☐ C. STATE ☐ D. COUNTY ☐ E. MUNICIPAL
☐ F. OTHER: (Specify) ☐ G. UNKNOWN

14. OWNER/OPERATOR NOTIFICATION ON FILE (Check all that apply)

☐ A. RCRA 3001 DATE RECEIVED: / / ☐ B. UNCONTROLLED WASTE SITE (CERCLA 103 c) DATE RECEIVED: / /
☒ C. NONE

IV. CHARACTERIZATION OF POTENTIAL HAZARD

01 ON SITE INSPECTION BY (Check all that apply)
☒ YES DATE: 8 / 19 / 86 ☐ A. EPA ☒ B. EPA CONTRACTOR ☐ C. STATE ☐ D. OTHER CONTRACTOR
☐ NO ☐ E. LOCAL HEALTH OFFICIAL ☐ F. OTHER: (Specify)
CONTRACTOR NAME(S): NUS Corporation

02 SITE STATUS (Check one)

03 YEARS OF OPERATION

☒ A. ACTIVE ☐ B. INACTIVE ☐ C. UNKNOWN ☐ Unknown BEGINNING ☐ N/A ENDING ☐ UNKNOWN

04 DESCRIPTION OF SUBSTANCES POSSIBLY PRESENT, KNOWN, OR ALLEGED

Gasoline and oil spills were noted onsite by NJDEP inspectors. Chemical wastes were allegedly dumped onsite in 1975.

05 DESCRIPTION OF POTENTIAL HAZARD TO ENVIRONMENT AND/OR POPULATION

The site is located in a residential area where groundwater is used for drinking water. Blueberry and cranberry fields are located within a three mile radius.

IV. PRIORITY ASSESSMENT

01 PRIORITY FOR INSPECTION (Check one. If high or medium is checked, complete Part 2 - Waste information and Part 3 - Description of Hazardous Conditions and Incidents)

☐ A. HIGH (Inspection required promptly) ☒ B. MEDIUM (Inspection required) ☐ C. LOW (Inspection on time available basis) ☐ D. NONE

(No further action needed. complete current disposition form)

VI. INFORMATION AVAILABLE FROM

01 CONTACT 02 OF (Agency/Organization) 03 TELEPHONE NUMBER
Diana Messina US EPA (201) 321-6685
04 PERSON RESPONSIBLE FOR ASSESSMENT 05 AGENCY 06 ORGANIZATION 07 TELEPHONE NUMBER 08 DATE
Laurie Gneiding US EPA NUS Corporation (201) 225-6160 8 / 20 / 86

POTENTIAL HAZARDOUS WASTE SITE
PRELIMINARY ASSESSMENT
PART 2 - WASTE INFORMATION

1. IDENTIFICATION
01 STATE 02 SITE NUMBER
NJ NEW

II. WASTE STATES, QUANTITIES, AND CHARACTERISTICS

01 PHYSICAL STATES (Check all that apply)		02 WASTE QUANTITY AT SITE	03 WASTE CHARACTERISTICS (Check all that apply)		
<input type="checkbox"/> A. SOLID	<input type="checkbox"/> E. SLURRY	(Measures of waste quantities must be independent)	<input checked="" type="checkbox"/> A. TOXIC	<input type="checkbox"/> E. SOLUBLE	<input type="checkbox"/> I. HIGHLY VOLATILE
<input type="checkbox"/> B. POWDER, FINES	<input checked="" type="checkbox"/> F. LIQUID		<input type="checkbox"/> B. CORROSIVE	<input type="checkbox"/> F. INFECTIOUS	<input type="checkbox"/> J. EXPLOSIVE
<input type="checkbox"/> C. SLUDGE	<input type="checkbox"/> G. GAS		<input type="checkbox"/> C. RADIOACTIVE	<input checked="" type="checkbox"/> G. FLAMMABLE	<input type="checkbox"/> K. REACTIVE
<input type="checkbox"/> D. OTHER:	(Specify) _____		<input checked="" type="checkbox"/> D. PERSISTENT	<input type="checkbox"/> H. IGNITABLE	<input type="checkbox"/> L. INCOMPATIBLE
		TONS <u>Unknown</u>			
		CUBIC YARDS <u>Unknown</u>			
		NO. OF DRUMS <u>Unknown</u>			

III. WASTE TYPE

CATEGORY	SUBSTANCE NAME	01 GROSS AMOUNT	02 UNIT OF MEASURE	03 COMMENTS
SLU	SLUDGE			
OLW	OILY WASTE	Unknown		
SOL	SOLVENTS			
PSD	PESTICIDES			
OCC	OTHER ORGANIC CHEMICALS			
IOC	INORGANIC CHEMICALS			
ACD	ACIDS			
BAS	BASES			
MES	HEAVY METALS	Unknown		

IV. HAZARDOUS SUBSTANCES (See Appendix for most frequently cited CAS Numbers)

CATEGORY	02 SUBSTANCE NAME	03 CAS NUMBER	04 STORAGE/DISPOSAL METHOD	05 CONCENTRATION	06 MEASURE OF CONCENTRATION
MES	Copper				
OLW	Crankcase Oil				

V. FEEDSTOCKS (See Appendix for CAS Numbers)

CATEGORY	01 FEEDSTOCK NAME	02 CAS NUMBER	CATEGORY	01 FEEDSTOCK NAME	02 CAS NUMBER
FDS	Not applicable		FDS		
FDS			FDS		
FDS			FDS		
FDS			FDS		

VI. SOURCES OF INFORMATION (See specific references. e.g., state files, sample analysis, reports)

NJDEP Files

POTENTIAL HAZARDOUS WASTE SITE
PRELIMINARY ASSESSMENT
PART 3 - DESCRIPTION OF HAZARDOUS CONDITIONS AND INCIDENTS

1. IDENTIFICATION
01 STATE 02 SITE NUMBER
NJ NEW

II. HAZARDOUS CONDITIONS AND INCIDENTS

01 ☒ A. GROUNDWATER CONTAMINATION 02 ☐ OBSERVED (DATE: _____) ☒ POTENTIAL ☐ ALLEGED
03 POPULATION POTENTIALLY AFFECTED: Approx. 1300 04 NARRATIVE DESCRIPTION

The potential exists if leaking drums were buried onsite. Oil and gasoline were seen staining the soil and could also migrate to the groundwater. Local residents use groundwater for drinking.

01 ☒ B. SURFACE WATER CONTAMINATION 02 ☐ OBSERVED (DATE: _____) ☒ POTENTIAL ☐ ALLEGED
03 POPULATION POTENTIALLY AFFECTED: Approx. 4700 04 NARRATIVE DESCRIPTION

The potential exists as a stream, connecting Hanover Lake and Mirror Lake, is located 700 feet from the site.

01 ☒ C. CONTAMINATION OF AIR 02 ☒ OBSERVED (DATE: 1975) ☐ POTENTIAL ☐ ALLEGED
03 POPULATION POTENTIALLY AFFECTED: Approx. 1300 04 NARRATIVE DESCRIPTION

The Burlington County Health Department noticed odors of paint after a fire on the Perrine property.

01 ☒ D. FIRE/EXPLOSIVE CONDITIONS 02 ☒ OBSERVED (DATE: 11/75) ☐ POTENTIAL ☐ ALLEGED
03 POPULATION POTENTIALLY AFFECTED: Approx. 1300 04 NARRATIVE DESCRIPTION

Pemberton Fire Department responded to a chemical fire involving 12 drums of unknown material on the Perrine property.

01 ☐ E. DIRECT CONTACT 02 ☐ OBSERVED (DATE: _____) ☐ POTENTIAL ☐ ALLEGED
03 POPULATION POTENTIALLY AFFECTED: _____ 04 NARRATIVE DESCRIPTION

No potential exists as the site is fenced and guarded by dogs.

01 ☒ F. CONTAMINATION OF SOIL 02 ☒ OBSERVED (DATE: 1983) ☐ POTENTIAL ☐ ALLEGED
03 AREA POTENTIALLY AFFECTED: 0.5 04 NARRATIVE DESCRIPTION
(ACRES)

NJDEP investigated the soil and saw gasoline and oil spillage from junked cars.

01 ☒ G. DRINKING WATER CONTAMINATION 02 ☐ OBSERVED (DATE: _____) ☒ POTENTIAL ☐ ALLEGED
03 POPULATION POTENTIALLY AFFECTED: Approx. 1300 04 NARRATIVE DESCRIPTION

The potential exists as residences nearby use groundwater as potable water. The adjacent home has a 20 foot shallow well.

01 ☒ H. WORKER EXPOSURE/INJURY 02 ☐ OBSERVED (DATE: _____) ☒ POTENTIAL ☐ ALLEGED
03 WORKERS POTENTIALLY AFFECTED: Unknown 04 NARRATIVE DESCRIPTION

The potential exists if hazardous waste were disposed of onsite.

01 ☒ I. POPULATION EXPOSURE/INJURY Approx. 13,000 02 ☐ OBSERVED (DATE: _____) ☒ POTENTIAL ☐ ALLEGED
03 POPULATION POTENTIALLY AFFECTED: 13,000 04 NARRATIVE DESCRIPTION

The potential exists if groundwater is contaminated or contaminated particulates become airborne.

POTENTIAL HAZARDOUS WASTE SITE
PRELIMINARY ASSESSMENT
PART 3 - DESCRIPTION OF HAZARDOUS CONDITIONS AND INCIDENTS

1. IDENTIFICATION
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NJ NEW

II. HAZARDOUS CONDITIONS AND INCIDENTS

01 ☒ J. DAMAGE TO FLORA
04 NARRATIVE DESCRIPTION

02 ☐ OBSERVED (DATE: _____) ☒ POTENTIAL ☐ ALLEGED

The potential exists for floral uptake of contaminants if soil is contaminated. Blueberry fields are located approximately 0.01 mile from the site and cranberry bogs are located approximately 4000 feet from the site.

01 ☒ K. DAMAGE TO FAUNA
04 NARRATIVE DESCRIPTION (Include name(s) of species)

02 ☐ OBSERVED (DATE: _____) ☒ POTENTIAL ☐ ALLEGED

The potential exists if contaminated flora are ingested.

01 ☒ L. CONTAMINATION OF FOOD CHAIN
04 NARRATIVE DESCRIPTION

02 ☐ OBSERVED (DATE: _____) ☒ POTENTIAL ☐ ALLEGED

The potential exists if flora and fauna become contaminated.

01 ☒ M. UNSTABLE CONTAINMENT OF WASTES
(Spills/runoff/standing liquids/leaking drums)
03 POPULATION POTENTIALLY AFFECTED: Approx. 13,000

02 ☒ OBSERVED (DATE: 1983) ☐ POTENTIAL ☒ ALLEGED

04 NARRATIVE DESCRIPTION

Drums from the nearby Lang property were allegedly buried on site. NJDEP observed spillage of gasoline and oil wastes during a site inspection.

01 ☒ N. DAMAGE TO OFFSITE PROPERTY
04 NARRATIVE DESCRIPTION

02 ☐ OBSERVED (DATE: _____) ☒ POTENTIAL ☐ ALLEGED

The potential exists if groundwater becomes contaminated.

01 ☐ O. CONTAMINATION OF SEWERS, STORM DRAINS, WWTPs
04 NARRATIVE DESCRIPTION

02 ☐ OBSERVED (DATE: _____) ☐ POTENTIAL ☐ ALLEGED

No potential exists as there are no sewers, storm drains, or WWTP within the area.

01 ☒ P. ILLEGAL/UNAUTHORIZED DUMPING
04 NARRATIVE DESCRIPTION

02 ☐ OBSERVED (DATE: _____) ☐ POTENTIAL ☒ ALLEGED

Mr. Perrine admitted to accepting chemical wastes in 1975. He also accepted solid waste (i.e. junked cars and household wastes) without authorization from NJDEP.

05 DESCRIPTION OF ANY OTHER KNOWN, POTENTIAL, OR ALLEGED HAZARDS

III. TOTAL POPULATION POTENTIALLY AFFECTED: Approx. 3000

IV. COMMENTS

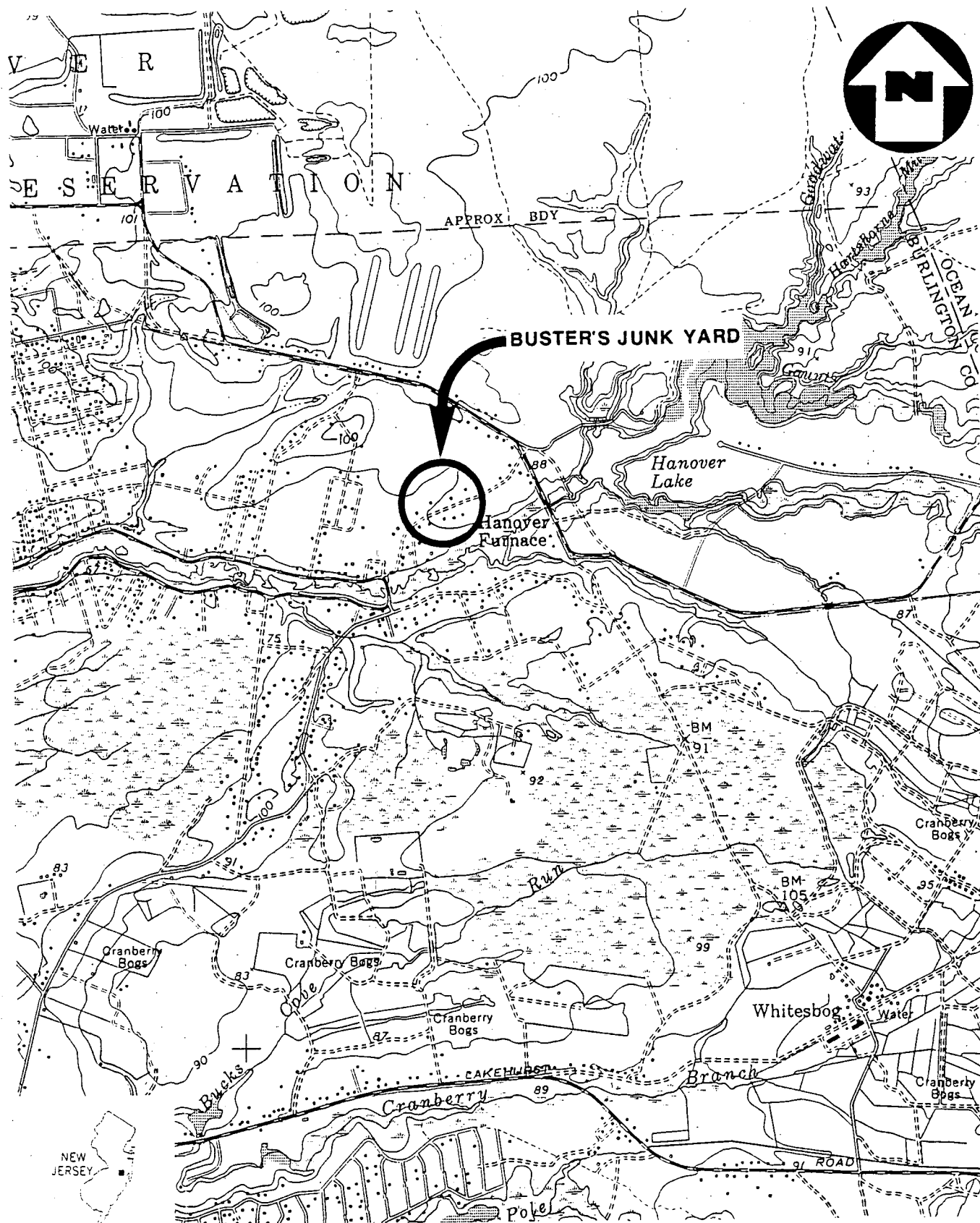
It is alleged that the drums buried onsite came from the Lang property.

V. SOURCES OF INFORMATION (Cite specific references. e.g., state files, sample analysis, reports)

NJDEP Files
Site Reconnaissance conducted by NUS Corporation FIT II on 8/15/86

APPENDIX A

MAPS



(QUAD) BROWNS MILLS, N.J.

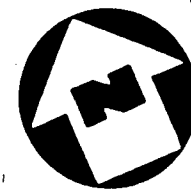
FIGURE 1

SITE LOCATION MAP
BUSTER'S JUNKYARD, BROWNS MILLS, N.J.

SCALE 1"=2000'

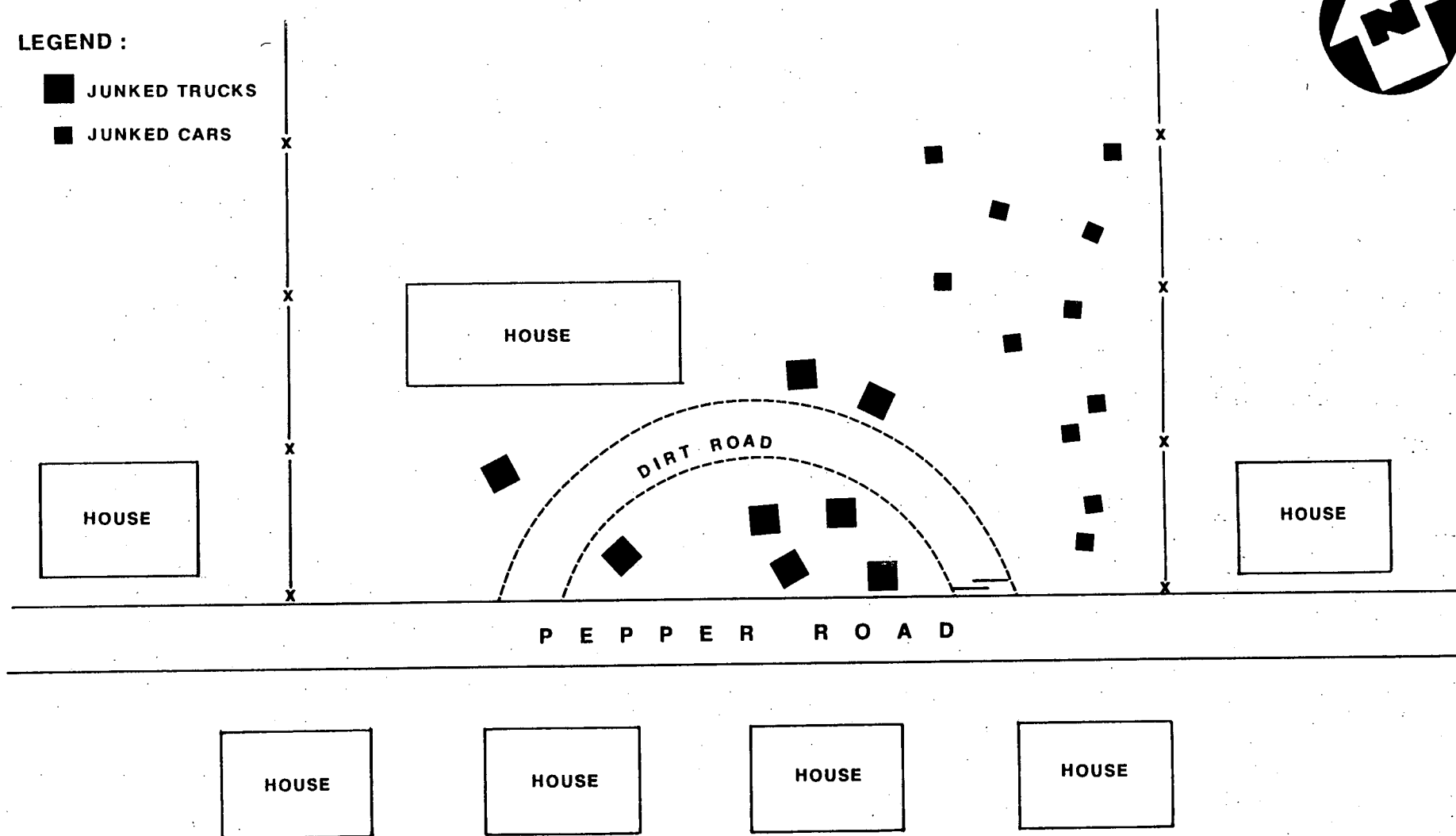
NUS
 CORPORATION

N A Halliburton Company



LEGEND :

- JUNKED TRUCKS
- JUNKED CARS



SITE MAP
BUSTER'S JUNKYARD, BROWNS MILLS, N.J.
(NOT TO SCALE)

APPENDIX B
BACKGROUND INFORMATION

United States of America

STATE OF NEW JERSEY

County of BURLINGTON

{ SS.

AUGUST 29, 1984

Be it known, That on the day of the date hereof, before me, the subscriber, a Notary Public for the State of NEW JERSEY, residing in the PEMBERTON TOWNSHIP personally appeared LEONARD PERRINE, T/A BUSTER JUNKYARD, and to me well known who being duly sworn, according to law, did depose and say, that he has complied as ORDERED by the DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF WASTE MANAGEMENT to;

- 1) Immediately cease and desist all solid waste disposal activities at the stated facility.
- 2) Within 15 days of receipt of this Order, Buster's Junkyard shall complete covering the remaining solid waste material, which has been left exposed.
- 3) Upon completion of covering said solid waste material, immediately submit an affidavit verifying compliance to:

Mr. William Nehls
Division of Waste Management
Bureau of Compliance and Enforcement
120 Route 156
Yardville, N.J. 08620

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Sworn and subscribed before me

this 29 day of AUGUST

A. D. 1984

LARRY P. GIBSON
Notary Public of New Jersey
My Commission Expires Feb. 10, 1987

SU
03249



State of New Jer
DEPARTMENT OF ENVIRONMEN
DIVISION OF WASTE MANAG
120 Rt. 156, Yardville, N.J. (

DR. MARWAN M. SADAT, P.E.
DIRECTOR

IN THE MATTER OF
LEONARD PERRINE
T/A BUSTER'S JUNKYARD
1572F PEPPER ROAD
BROWNS MILLS, NJ 08015

Attention: Leonard Perrine

The following FINDINGS are made and ORDER of authority vested in the Commissioner of the Environmental Protection (Department) and the Assistant Director for Enforcement and Field Operations, Division of Waste Management, under the Solid Waste Management Act, N.J.S.A. 13:1E et seq.

FINDINGS

- 1) The New Jersey Department of Environmental Protection (hereinafter "the Department") has determined that Leonard Perrine, trading as Buster's Junkyard, is operating a solid waste disposal facility located at Pepper Road, Block 524, Lot 6, Pemberton Township, Burlington County, New Jersey.
- 2) During an inspection of the above stated facility, on December 13, 1983, by a Departmental representative, the following violations were noted:
 - a. Disposal of solid waste without first obtaining a Department approved registration, a violation of N.J.A.C. 7:26-2.2(b).
 - b. Disposal of solid waste without first obtaining an approved engineering design, a violation of N.J.A.C. 7:26-2.2(c).
- 3) The New Jersey Administrative Code, specifically N.J.A.C. 7:26-2.2(b) and 7:26-2.2(c) states:

Form 3811, Dec. 1980

3. SEND: Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☐ Show to whom and date delivered
☐ Show to whom, date, and address of delivery..
2. ☐ RESTRICTED DELIVERY
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL 2

3. ARTICLE ADDRESSED TO:
Buster's Junkyard
1572F Pepper Rd.
Browns Mills, NJ 08015

4. TYPE OF SERVICE:
☐ REGISTERED ☐ INSURED
☐ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER
P405
311 595

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
X R. Perrine

5. DATE OF DELIVERY
F-21

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7b. EMPLOYEE'S INITIALS
IN

POSTMARK
BROWNS MILLS
NJ
DEC 13 1983

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

N.J.A.C. 7:26-2.2(b) - No person shall engage in disposal of solid waste in this State without having first obtained Departmental approval of the registration statement required under subsection (a) of this section.

N.J.A.C. 7:26-2.2(c) - No new facility shall begin operations without first obtaining Departmental approval of the engineering design submitted with the registration statement; nor shall any existing facility continue to operate subsequent to receiving notice that the Department has disapproved the engineering design for that facility. Failure to comply with the requirements of this subsection shall be cause for revocation of an approved registration for an existing facility or the denial of registration for a new installation.

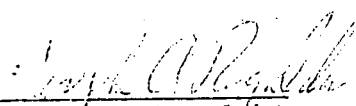
ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Buster's Junkyard, its principals, agents, employees, successors, assigns, tenants, and any receiver or trustee in bankruptcy, (should such an entity be appointed to take control of the facility which is the subject of this Order) shall:

- 1) Immediately cease and desist all solid waste disposal activities at the stated facility.
- 2) Within 15 days of receipt of this Order, Buster's Junkyard shall complete covering the remaining solid waste material which has been left exposed.
- 3) Upon completion of covering said solid waste material, immediately submit an affidavit verifying compliance to:

Mr. William Nehls
Division of Waste Management
Bureau of Compliance and Enforcement
120 Route 156
Yardville, NJ 08620

BE ON NOTICE that the maximum civil penalty for violations of the Solid Waste Management Act on an ORDER issued pursuant thereto is \$25,000 per day.


Joseph A. Rogalski
Assistant Director



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT

~~XX~~
RD 1 Route 70, Vincentown, NJ 08088

JACK STANTON
DIRECTOR

LINO P. PEREIRA
DEPUTY DIRECTOR

May 3, 1983

Burlington Co. Health Department
Walter Trommelen, H. O.
Raphael Meadow Health Center
Woodland Road
Mount Holly, NJ 08060

RE: Buster's Garage, 34 Pepper Rd., Browns Mills (tele. no. 893-5575) (Bl. 524, Lot 6) (Leonard and Pearl Perrine). Illegal landfilling of household garbage, demolition waste, bulky itmes. The area is approx. 75' x 150' and located in a swampy lowland environment.

Dear Mr. Trommelen:

The Department of Environmental Protection has done a preliminary investigation on 5/2/83 of the referenced location.

Our investigation indicates that there is a violation pertaining to the disposal of solid waste. Found were many cancelled checks in one load of refuse with the name of Jean and Robert G. Mourey (tele. no. 609-893-2528).

As you are aware, the Solid Waste Management Act (NJSA 13:1E-1) empowers local health departments to enforce the regulations promulgated under this Act pertaining to the proper disposal of solid waste; namely, NJAC 7:26-1 et seq.

The Department hereby notifies you that it will take no further action in this matter and the information is being supplied to you for review and any action you may deem necessary.

Should you have any questions concerning this matter, please feel free to contact Frank Hartman at 609-859-2958.

Very truly yours

Charles E. Krauss
Acting Region Chief
Southern Region
Bureau of Field Operations

CEK:krb

NARRATIVE

1572 F PEPPER RD., PEMBERTON TWP., BURLINGTON C.

Jan R. Vel.

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT

[] SF
[☒] SW
[] HW
[] OTHER

NJ ID _____ EPA ID N J

VIOLATOR INFORMATION

LOCATION OF VIOLATION

NAME Bater's Tankard BLOCK 504 LOT 6

ADDRESS 1572 F. Pappas Rd. OTHER Pappas Rd C/M 0329

DATE (VIOLATION) 12/13/73 DATE (FOLLOW UP EVAL.) 1/1/74

TYPE EVAL. ☒ EVAL. INSP. ☐ RECORD REV. ☐ FOLLOW UP
☐ SAMP. INSP. ☐ SPEC. INSP.

VIOLATION(S)

VIOLATION SUMMARY

REG.	CLASS	-REG.	CLASS	CLASS	GWM	C/PL	FR	Pe.B.	C.S.	M	OTHER
<u>22(b)</u>	<u>IV</u>			I							
<u>22(c)</u>	<u>IV</u>			II							
				III							
				IV							
				V							

ENFORCEMENT ACTION: ☒ NEW ☐ AMEND ☐ RESCIND ☐ DWM ACTION NO. SW 0324

AREA OF VIOLATION	TYPE ACTION TAKEN (CIRCLE ONE)	DATE OF ACTION	COMPLIANCE DATES	
			SCHEDULED	ACTUAL
	WL/NOV <u>AO</u> ACO Civa CrA	<u>0816 84</u>	<u>0830 84</u>	
	WL/NOV AO ACO Civa CrA			
	WL/NOV AO ACO Civa CrA			
	WL/NOV AO ACO Civa CrA			
	WL/NOV AO ACO Civa CrA			
	WL/NOV AO ACO Civa CrA			

PENALTY: ☐ ASSESSED ☐ COLLECTED \$ _____

REFERRALS: ☐ ORS ☐ LAW (AG) ☐ CJ ☐ DWR ☐ OTHER _____

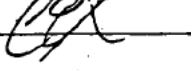
DATE OF REFERRAL 1/1/74 REQUESTED ACTION _____

ACTION TAKEN BY: ☐ ORS ☐ LAW (AG) ☐ CJ ☐ DWR ☐ OTHER _____

DATE OF ACTION 1/1/74 ACTION TAKEN _____

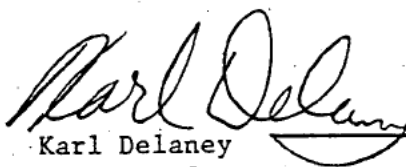
COMMENTS: Re-written as per OPS

MEMO

TO Charles Krauss 
FROM Karl Delaney DATE January 6, 1984
SUBJECT Buster's Garage, Pemberton Twp., file # 03-29-08 (aka Leonard "Buster" Perrine)

On December 12, 1983, this writer telephoned DAG Ann Simonoff and requested the status of the Lang Property investigation. Ther writer's concern was directed specifically towards the reported dumper [REDACTED] who is named in several court documents contained in the Lang Property file (#03-29-05). Speculation has been that since the alleged drums at the subject site, and other sites throughout the vicinity of Pemberton Twp., were discovered at the same time, that the dumper might be the same.

Ms. Simonoff stated that her office is not pursuing the [REDACTED] lead since there is not sufficient evidence to tie [REDACTED] into the case. Therefore, there is no attempt being made to obtain certification from [REDACTED] as to possible involvement with Buster's Garage.


Karl Delaney
Sr. Env. Spec.

FOS12:krb

MEMO

TO Ray Barg, Chief, Potable Water through Ronald T. Corcory

FROM Frank Hartman through Charles E. Krauss *CEK* DATE February 29, 1984

SUBJECT Sampling at Buster's Junkyard (L. Perrine, owner) on Pepper Road,
Pemberton Twp. Burlington Co.

In reference to our telephone conversation of February 27, 1984, please be advised that allegations have been made that Buster's Junkyard (Blk. 524, Lot 6) has taken and buried hazardous waste from the Lang Property in 1975. Because of the citizens and our own concern we would appreciate the DWR, Potable Water, to take and analyze water samples from the residents homes. As a coordinating effort we would supply a guide and anything else you would need pertaining to this matter. I will be waiting for your response.


Thank you for your help.

Frank Hartman
Frank Hartman
Sr. Env. Spec.

FOS3:krb
cc: file

NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

MEMO

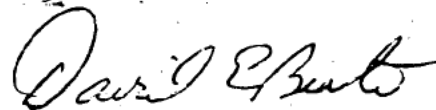
TO Karl J. Delaney 
FROM David E. Bute DATE April 17, 1984
SUBJECT Sampling of the following locations on Pepper Road.

On April 17, 1984, I met with Jim Walters, Division of Water Resources, at the Red Lion office. We then proceeded to the home of [REDACTED], Pepper Road, where we met with her and requested to be allowed to enter her home and collect three water samples. Permission was granted, by [REDACTED] and three samples were taken from the kitchen sink faucet by Mr. Walters and sample number 26790.

We then went down the street on the other side of Buster's Junkyard to 40 Pepper Road. We knocked on the front door, no answer, and then went to the side door, knocked, but still no answer. We took a water sample from the outside faucet. After collecting this sample, we went back to Buster's Junkyard and met with Buster. We asked him to show us where the shallow well was located. After the well was located, it was opened and sampled with a non-dedicated bailer.

The sample taken at 40 Pepper Road was given sample number 26791 and the sample taken at Buster's Junkyard was given sample number 26792. All samples were under the custody of Mr. Jim Walters.

At 1210 hours, we secured from the area.



David E. Bute
Principal Environmental Technician

FOS8:lk
cc:file



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
SOUTHERN REGION

Marwan Sadat, P.E.
DIRECTOR

RD 1 Route 70, Vincentown, NJ 08088
(609) 859-2958

LINO F. PEREIRA
DEPUTY DIRECTOR

May 22, 1984

[REDACTED]
24 Pepper Road
Browns Mills, NJ 08015

RE: DWM #84-04-28-02S

Dear [REDACTED]:

Enclosed you will find a copy of the Department of Environmental Protection's water analysis that was performed on your potable water supply.

The sample was collected on April 17, 1984 and a volatile organic scan was performed by the New Jersey Department of Health. The attached report indicates that no volatile organics were detected on the date that your potable well was tested.

Should you have any questions, please do not hesitate to call me.

Sincerely,

David E. Bute
Prin. Env. Technician

FOS8:krb
attachment

cc: Charles Krauss
Karl Delaney
Frank Hartman
Jim Daloia - Burlington
County Health Dept.

WATER ANALYSES REPORT

Supply Pvt well's (Busteis Garage) 266 County Burlington
Municipality (Browns Mills) Pemberton Twp. Date Collected 4-17-84
Collected by Jam R Wain Memo # 84-58 Project # W-

BACTERIOLOGICAL: Coliform organisms are reported in colonies per 100 ml. Chlorine residuals are reported in ppm.

SAMPLE NUMBER	POINT OF COLLECTION	TIME	WATER TEMP.	Chlorine Residual		Coliform Organisms	
				FREE	TOTAL	FECAL	TOTAL
26790	24 Pepper Rd - [REDACTED]	11:45		-	-	-	
26791	40 Pepper Rd - [REDACTED]	12:25					

PHYSICAL - CHEMICAL: Determinations are in ppm except color, odor, turbidity, pH, VO, and Pesticide. (N.J. Standards)

SAMPLE NUMBER		SAMPLE NUMBER	
Nitrate (as N) (10)		Arsenic (0.05)	
Color (10)		Barium (1.0)	
Odor (III)		Cadmium (0.010)	
Turbidity (5)		Chromium (0.05)	
Total Dis. Solids (500)		Fluoride (2.0)	
pH		Lead (0.05)	
Alkalinity (as CaCO ₃)		Mercury (0.002)	
Chloride (250)		Selenium (0.01)	
ABS/LAS (0.5)		Silver (0.05)	
Hardness (as CaCO ₃) (250)		Iron (0.03)	
Sulfate (250)		Manganese (0.05)	
Cyanide		Sodium (50)	
Pesticide I, II, III		Copper (1.0)	
Endrin (0.0002)		Zinc (5.0)	
Lindane (0.004)		VO Scan (ppb)	2K / 2K
Methoxychlor (0.1)			
Toxaphene (0.005)			
2,4-D (0.1)			
Silvex (0.01)			

REPORT SUBMITTED

MAY 11 1984

Remarks

BLACK # 16586

NJDOH Environmental
Chemistry Laboratory

COPIES:

White - Bureau of Potable Water
Blue - Water Purveyor

Green - Health Authority
Canary - Chemistry Lab

Pink - Bacteriological Lab
Gold - Ext

Page 6

WATER ANALYSES REPORT

Supply DWI Well - (Custer's Quarry) County Berkshire
Municipality Pennepack Pond Date Collected 4-17-90
Collected by James R. White Memo # DL-99 Project # W-

BACTERIOLOGICAL: Coliform organisms are reported in colonies per 100 ml. Chlorine residuals are reported in ppm.

SAMPLE NUMBER	POINT OF COLLECTION	TIME	WATER TEMP.	Chlorine Residual		Coliform Organisms	
				FREE	TOTAL	FECAL	TOTAL
16742	Custer's Quarry Pond	12:30					

PHYSICAL - CHEMICAL: Determinations are in ppm except color, odor, turbidity, pH, VO, and Pesticide. (N.J. Standards)

SAMPLE NUMBER				SAMPLE NUMBER	26747		
Nitrate (as N) (10)				Arsenic (0.05)			
Color (10)				Barium (1.0)			
Odor (III)				Cadmium (0.010)			
Turbidity (5)				Chromium (0.05)			
Total Dis. Solids (500)				Fluoride (2.0)			
pH				Lead (0.05)			
Alkalinity (as CaCO ₃)				Mercury (0.002)			
Chloride (250)				Selenium (0.01)			
ABS/LAS (0.5)				Silver (0.05)			
Hardness (as CaCO ₃) (250)				Iron (0.03)			
Sulfate (250)				Manganese (0.05)			
Cyanide				Sodium (50)			
Pesticide I, II, III				Copper (1.0)			
Endrin (0.0002)				Zinc (5.0)			
Lindane (0.004)				VO Scan (ppb)	1.1		
Methoxychlor (0.1)							
Toxaphene (0.005)							
2,4-D (0.1)							
Silvex (0.01)							

Remarks DL-99 10593 Continuation of DL-99
See analysis of water from 10593 - see previous report

DIVISION OF WASTE MANAGEMENT
BUREAU OF FIELD OPERATIONS

ENFORCEMENT REFERRAL

TO: Karen Shaw thru C. Krauss DATE: 12/16/83
FROM: F. Hartman REGION: 1 - Rd Lim
RE: Burte's Junkyard Pepper Rd
Name of Facility ID Number Location Address
B-534 L-61 Pemberton Burlington
Lot and Block Township County
1572 E Pepper Rd. Browns Mills, N.J. M. L. Perrone
Mailing Address Responsible Party

The attached inspection/investigation report(s) dated 12/13/83 is being referred and it is recommended a A.O. be issued for violations of:

NJAC 7:26- 2.2.B
2.2.C

no approved registration
no approved engineering designs

NJSA 58:10-

Suggested penalty: _____

ADDITIONAL COMMENTS:

REVIEWED AND APPROVED BY: _____

[Signature]
Atty Region 1

NOTICE OF VIOLATION

ID NO. _____ DATE 12/13/83
NAME OF FACILITY Buster's Junkyard (Leonard Perrine)
LOCATION OF FACILITY Pepper Rd - Pemberton Twp - Burlington Co.
NAME OF OPERATOR Leonard Perrine

You are hereby NOTIFIED that during my inspection of your facility on the above date, the following violation(s) of the Solid Waste Management Act, (N.J.S.A. 13:1E-1 et seq.) and Regulations (N.J.A.C. 7:26-1 et seq.) promulgated thereunder and/or the Spill Compensation and Control Act, (N.J.S.A. 58:10-23.11 et seq.) and Regulations (N.J.A.C. 7:1E-1 et seq.) promulgated thereunder were observed. These violation(s) have been recorded as part of the permanent enforcement history of your facility.

DESCRIPTION OF VIOLATION _____

7:26-2.2.B no approved registration
7:26-2.2.C no approved Engineering designs

Remedial action to correct these violations must be initiated immediately. Within fifteen (15) days of receipt of this Notice of Violation, you shall submit in writing, to the Bureau of Compliance and Enforcement, Attention Mr. David J. Shotwell, Chief, at the above address, the corrective measures you have taken to attain compliance. The issuance of this document serves as notice to you that a violation has occurred and does not preclude the State of New Jersey, or any of its agencies from initiating further administrative or legal action, or from assessing penalties, with respect to this or other violations. Violations of these regulations are punishable by penalties of \$25,000 per violation.



Investigator, Division of Waste Management
Department of Environmental Protection

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT

INSPECTION REPORT

NARRATIVE

Buster's Junkyard on Pepper Rd (illegal L.F.)
in Pemberton + up. Burlington Co.

NAME OF FACILITY

Present at time of inspection L. F. Hartman } DEP
2 D. Butte } DWMDATE 12/13/83
3 J. Dalio B.C.H.D.

CHAPTER CITATION

DESCRIPTION

On the above date, we went to the above location and found that Mr. Perrine, L. (Buster) had ceased all dumping of household garage, bldg. demo, tires, mattresses etc., and had covered approx. 80% of the refuse (see B. Pet. # & D. Butte's report). The other 20% was totally uncovered (an area of approx 50' x 50'). We also noticed an area of approx 100' x 100' of a mixture of horse manure & hay mixed together & uncovered. Mr. Perrine stated that this manure was spread yesterday and would be disked in a few days. We observed no drums of hazardous waste anywhere on the site. I explained to Mr. Perrine he was to cease dumping, and cover all solid waste.

Violations of solid waste code

7:26-2.2.B Disposing of solid waste without first obtaining a Dept. approved registration.

7:26-2.2.C Disposing of solid waste with first obtaining approved engineering designs.

Mailing

Mailing address - (BL 524 Lot 6)

Leonard Perrine, Pepper Rd, 1572 F, Brown Mills NJ

Note:

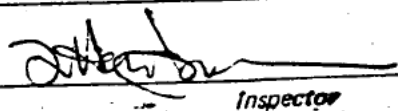
We talked to [redacted] to let her know our findings.

Note:

No permit needed for Junkyard in Pemberton + up.

*Note: Surveyors
of H. Perrine prop.Omega Engineering & Surveyors ass.
Columbus, N. J. (609) 267-3836

(over)


Inspector

NARRATIVE

Buster Junkyard - cont -

DATE 12/13/83

M. J. Ma
Inspector

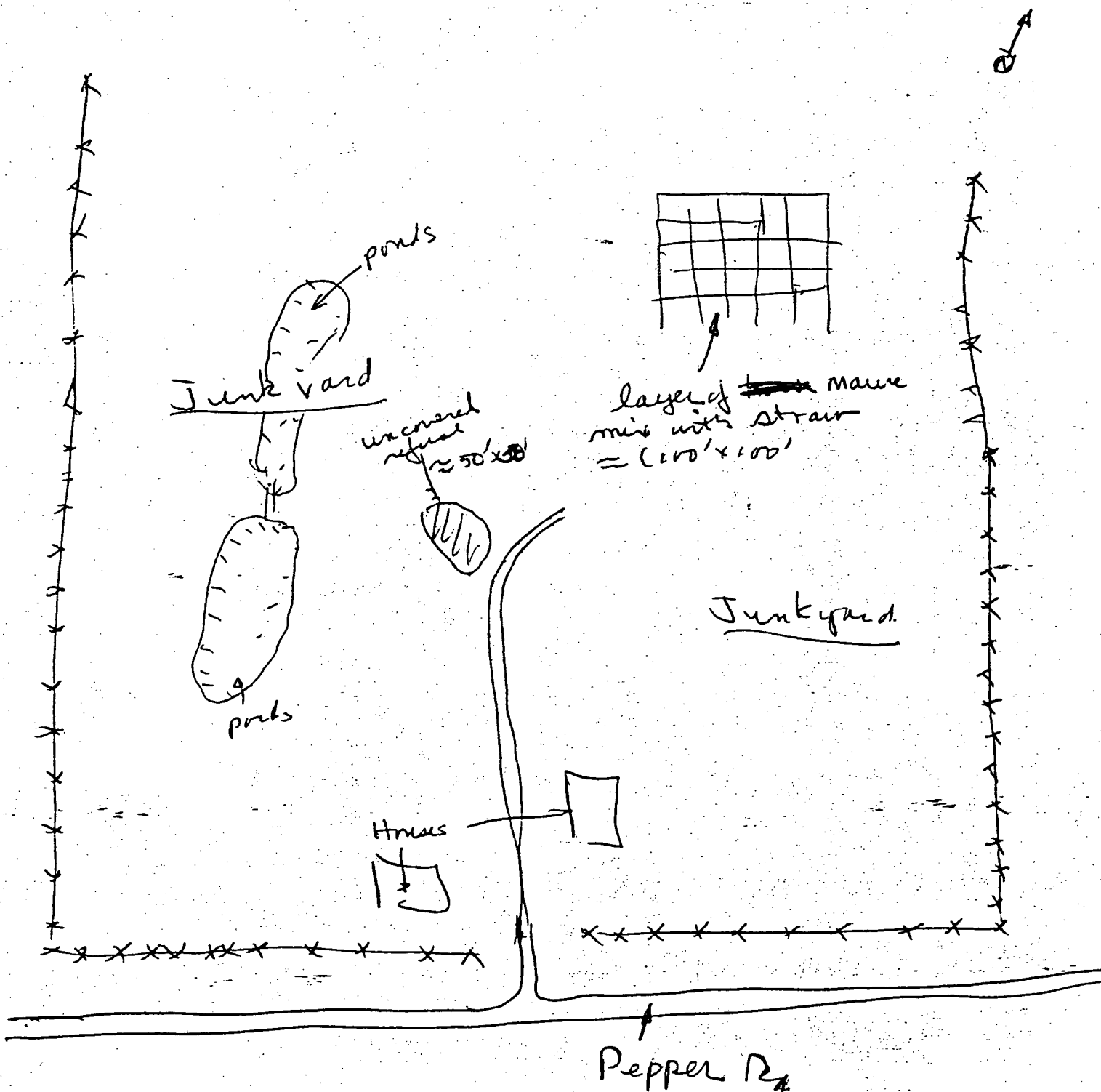
INSPECTION REPORT

SKETCH

NAME OF FACILITY Buster Junkyard

DATE 12/13/83

INSPECTOR _____



INSPECTION REPORT

NARRATIVE

NAME OF FACILITY BUSTER'S GARAGE - Leonard Pennino Property DATE 12/2/83
Brown Mills, Pemberton Twp. Burl. Co.

CHAPTER CITATION	DESCRIPTION
Note :	Report reconstructed from field notes taken on 5/2/83.
	On 4/26/82, a complaint from a confidential complainant was logged at the DEP/DWM Southern Field Office alleging that illegal disposal of chemical waste (drums) and solid waste occurred at the above referenced property. Dave Butte, the investigator assigned to this case, requested that I accompany him to ascertain if solid waste violations are existent.
	At approx 9:30 AM on 5/2/83, Dave Butte and I entered the Pennino property. The following observations of solid waste disposal were noted: (See attached sketch)
	#1. An area approx 75' x 150', consisting of scattered household garbage, bldg demo, bed mattresses, tires, discarded clothes, and junk the autos, was noted.
	#2. The dirt found in this area and the mounds are nature are indicative of landfilling activities. (see photos)
	#3. Cancelled checks bearing the name "Jean and Robert G. Mourey" were noted in refuse.

(Cont'd)

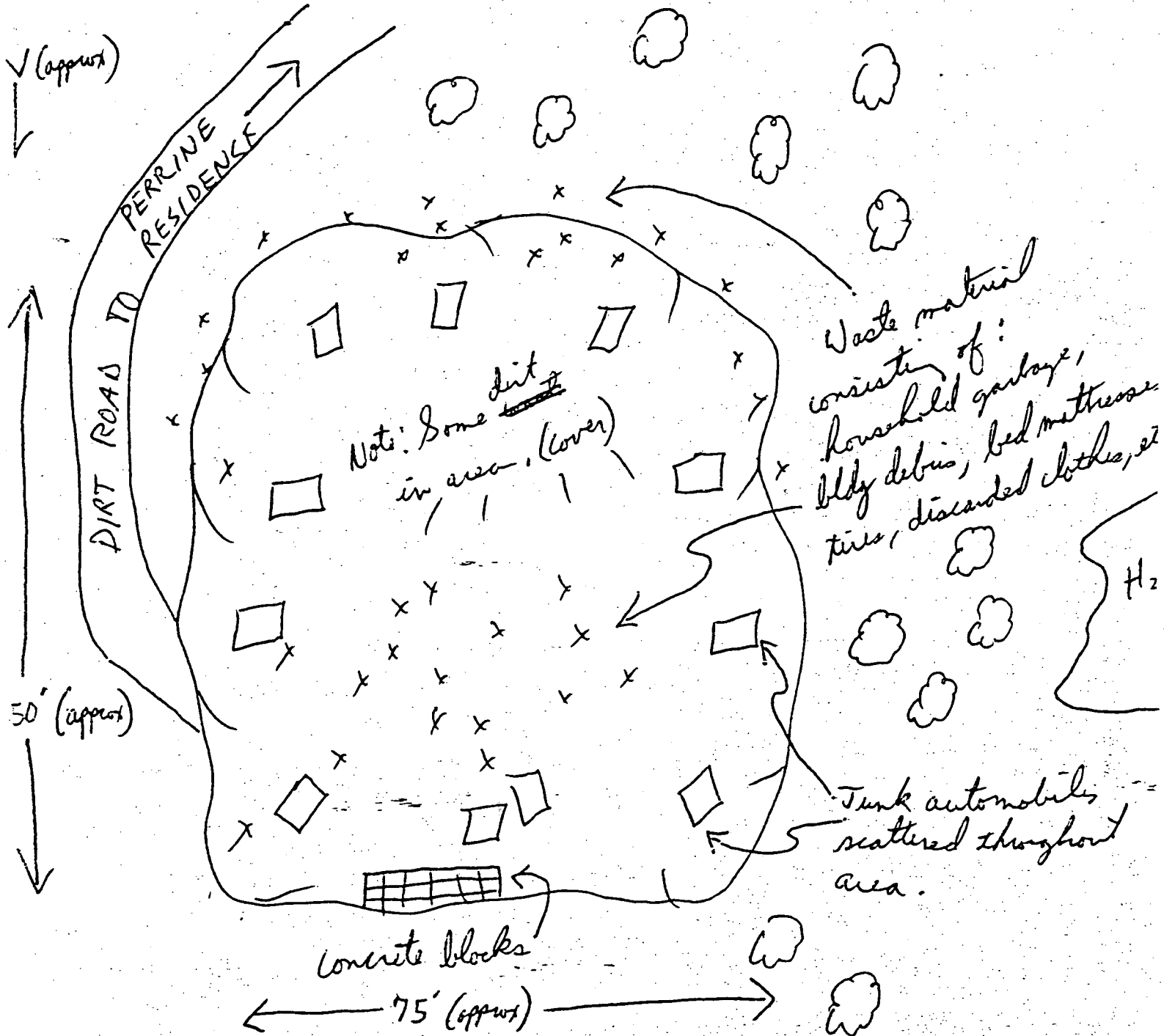
Inspector

DIVISION OF WASTE MANAGEMENT

INSPECTION REPORT

SKETCH

NAME OF FACILITY "BUSTER'S GARAGE" Leonard Perrine Property DATE 12/2/83
 INSPECTOR BRIAN PETITT BROWNS MILLS, PEMBERTON TWP. BURL. CO.






State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
SOUTHERN REGION
RD 1 Route 70, Vincentown, NJ 08088
(609) 859-2958


JACK STANTON
DIRECTOR

LINO F. PEREIRA
DEPUTY DIRECTOR

M E M O R A N D U M

To: Karl J. Delaney  Date: December 1, 1983
From: Charles E. Krauss
Subject: Case Strategy #83-04-28-02S, Items Requiring Clarification

- 1) Gillespi letter 6/24/83 to Mayor Albano - statement page 4, 7th paragraph - Perrine admitted chemicals on property - placed there in 1973.
 - A) Call Gillespi - where did this statement come from.
- 2) Contact DAG Paul Schneider - determine name of hauler, status of pursuit, copies of his files.
- 3) Contact DAG Simonoff - status of case. (*Pinelands Regs*)
- 4) Contact Burlington County Health Department - arrange for joint inspection of Perrine Property (Bute, Hartman, Daloi) A.S.A.P.
 - A) Reinspect Solid Waste Violations - Process Enforcement Referral - Note: If no junkyard license, site junk cars as waste.
 - B) Photos.
 - C) Gather evidence on current spills on-site preparatory for a Directive Letter.
 - D) Interview Buster, Spreague, Harvey, Wardell - (request affidavits)
- 5) Prepare a file copy of above for submittal to DWR with a specific request for a geologist and to Potable Water for sampling of residential domestic wells.


Charles E. Krauss
Acting Region Chief

New Jersey Is An Equal Opportunity Employer

FOS1:lk
cc:file

Leonard Perrine, t/a Buster's Junkyard
Pepper Oak Road, Pemberton Twshp.,
Burlington County (Block 524,
Lot 6)

SITE PROFILE

Case #83-4-28-2S
File #03-29-08

Between 10/28 and 11/10/75 (Informational Discovery on) 11/22/83)	-	Ed Harvey, Fire Chief responds to Chemical waste fire involving twelve (12) drums in an excavation on Buster's site. During this period he informs Simkins and Wardell of above.
11/10/75 (Discovery 11/22/83 & file verification 12/1/83)	-	Site inspection by Hartman (NJDEP); Harvey (BMFD) and Wardell (BCHD) <u>Observations</u> - site of excavation 50' x 75' - filled in - assumption drums buried - definite paint residue smell apparent - no activity on-site during inspection.
4/28/83	-	Incident Notification (83-4-28-2S) filed with Southern Region 10:30am - alleged disposal of chemicals - supposedly stored in rear of junkyard - <u>Note</u> : *notification comes 7 days after Perrine files for junkyard license.
5/2/83	-	Inspection of site by Bute and Pettitt - observations - solid waste dump violations - no chemical odors or containers found - seven photos taken.
5/3/83	-	Official referral to Burlington County Health Department to follow up on the illegal solid waste dump violations.
6/83	-	Site inspected by J. Gillespi (attorney), D. Yaros (Soil Conservation), R. Brown (Pinelands), Pemberton Township Committee. Observations - did not observe stored hazardous materials - did note contam- inated soils from oils and fluids from junk vehicles.

6/24/83

- Letter - J. Gillespi to Mayor Albano - comments on Perrine statement, April 83 meeting of Township Committee to expand junkyard operation - claims code enforcement officer not performing his duty - must receive Pinelands approval for expansion - recommends 7 actions to committee on behalf of affected residents - * states - claims Perrine admitted chemicals were on property and were placed there 1973.

7/83

- Krisak requests copy of Lang Property files from HSMA in an effort to discover the disposal site of the 1500+ drums - Note: complainant alleges Lang Property drums dumped at Buster's - subsequent interviews with parties involved in the Lang case and the Lang file does not indicate where the drums were eventually deposited. Note: Telephone conversation with Bob Simkins, BCHD, 12/1/83, states drums were already at Buster's and Poinsett properties prior to removal of any drums from Lang property by DeLorenzo. He further stated a hauler () was caught dumping drums at the Lang Property. The Langs, Poinsetts and Perrines were all close friends possibly accommodating this hauler. Note: Karl Delaney 12/1/83 indicates DAG, Paul Schnider was to pursue this hauler?

8/83

- Krisak communicates with Attorney Gillespi regarding affidavits from witnesses to dumping - Attorney will attempt to get affidavits.

9/16/83

- Krisak files case status report.

9/27/83

- Delaney files case opinion.

9/29/83

- Krauss requests contact with Mrs. Hendrickson for an interview - require tangible evidence.

10/13/83

- Letter from Gillespi to referencing Pinelands violations.

11/15/83

- Affidavit of Robert Simkins (BCHD) - suspects chemical hauler () knew all three property owners - Lang, Poinsett, and Perrine - drums deposited on all three sites between July-December 1975 - all similar drum markings and punctures.

11/16/83

- Letter Ann Simonoff, DAG, to Jeffery Snow - Attorney for Perrine states violation of Pinelands regulations and intent to institute litigation.

11/22/83

- Letter [REDACTED] to Karl Delaney - numerous allegations - States Ralph Powell (Buster's Partner) stated Buster would allow trucks to dump on the property.

11/28/83

- Delaney case status report and recommendations.

MEMO

TO Charles Krauss

FROM Karl J. Delaney

DATE November 28, 1983

SUBJECT Buster's Garage - followup per your 9/29/83 Speedi-Memo - 83-04-28-02S

9/29/83 - 1150 hours:

Attempt to contact [REDACTED] via telephone - NO ANSWER ([REDACTED])
1530 hours. [REDACTED] was advised of need for more than heresay
or third hand statements from as yet unnamed parties as to existence
of waste on-site. [REDACTED] then acquiesced and provided the
following apties as having advised her that "Lang Property waste"
was taken to the site of Buster's Garage:

Lou Sprague - Pemberton Road
(former Pemberton Township Commission)

Ralph Powell - (Former partner of Leonard Perrine,
owner of Buster's Garage)

No addresses or telephone numbers were available from Mrs. Hendrickson.

[REDACTED] also stated that neither she nor any of the neighbors
of Buster's Garage saw any Lang Property drums or waste disposed of on-
site. This would have involved upwards of 75 large box trailer or demo
trailer trips to haul the estimated 1500 drums. Also the writer stated
that since the reports indicated that virtually all of the drums were
shot or otherwise breached and would have required repair prior to removal
from the site. This would not seem reasonable considering the condition
of the drums, the party hired to perform the work (DeLorenzo, L&D Landfill,
Mount Holly), and the extreme bulk of the drums.

The writer will attempt to contact the above named individuals and, if
they repeat their contentions, to have them prepare affidavits. Directive
Letters would then be prepared.

[REDACTED] also stated that her attorney, John Gillespie, has
copies of reports which may shed some light on the material disposed at
the subject site.

10/3/83:

Attempts to contact Mr. Gillespie.

10/5/83:

Same as above. Attempts to contact Mr. Sprague and Mr. Powell are
unsuccessful to date.

10/14/83:

Telephone call to John Gillespie (387-0050). Gillespie advises that he was advised by a Bill Simpkins of the Burlington County Hazardous Waste Commission that Mr. Simpkins would be willing to prepare an affidavit verifying that Lang Property waste was transported to the subject site.

The writer will discuss with Charles Kruass the items necessary to pursue further. Krauss advises to have them come in, prepare affidavit, and we will forward to the Attorney General's Office for consultation on the next step possible.

10/17/83:

Call to Gillespie. "Prepare affidavits and forward." Gillespie not available and message left with secretary.

11/22/83:

[REDACTED] telephones the writer and advises that [REDACTED] will transport Mr. Simpkins affidavit to Region I, Red Lion Office. At approximately 1600 hours, [REDACTED] and an unnamed female arrive and delivers a packet of materials containing:

- 1) Simpkins affidavit
- 2) [REDACTED] hand written letter to the writer
- 3) Copies of two (1975) Frank Hartman, NJDEP, SWA investigation's memos.
- 4) Copies of handwritten notes presumed to be by Wardell, former Burlington County Health Department employee.
- 5) Tax map of area in question.

CONCLUSION:

There appears to be sufficient testimony to warrant further investigation.

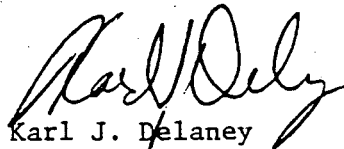
RECOMMENDATIONS:

I, therefore, recommend preparation of affidavits by Mr. Leonard "Buster" Perrine, Mr. Charles "Lou" Sprague, Mr. Ralph Powell.

The writer would also recommend that an official request be prepared to Ray Barg, Chief, Bureau of Potable Water, requesting volatile organic analysis of the Hendrickson potable well.

Recommendation's con't:

The writer additionally recommends that a copy of this file be forwarded to the Bureau of Enforcement and Compliance with an Enforcement Referral citing pertinent Solid Waste Act, and Spill Act violations. This will require at least one on-site inspection by a team of one Solid Waste investigator and one Spill investigator.



Karl J. Delaney
Senior Environmental Specialist

FOS12:1k
cc:file

BOARD OF CHOSEN FREEHOLDERS
OF THE COUNTY OF BURLINGTON
MOUNT HOLLY, NEW JERSEY

68040

December 1, 1983

RECEIVED

DEC 6 1983

OFFICE OF:
BURLINGTON COUNTY
HEALTH DEPARTMENT
Telephone 267-0631
Area Code 609

Division of Waste Mgt.

Charles Krauss, Supervisor
New Jersey DEP
Division of Waste Management
RD #1, Route 70
Vincentown, NJ 08088

Dear Charley:

I am enclosing a copy of the various legal documents in our files concerning chemical dumping at the Lang property in Pemberton Township. You will note in the exhibits that the hauler involved in the dumping was [REDACTED], [REDACTED], Springfield, NJ, (Essex County near Milburn at Route 22 and Route 24) [REDACTED].

To my knowledge this person has avoided any indictments.

Yours truly,



Robert W. Simkins, Supervisor
Office of Waste Management Programs

RWS/bcd
Encls.

cc: Charles Schiers
James Daloia

Nov. 22, 1983

Dear Mr. Delaney,

I spoke with the A.C. office this morning. This case has been handed to Deputy Attorney Gen. Anne R. Simonoff. She stated you have the authority to put in the monitoring wells. She asked for your name & said she will be getting in touch with you & she said Rick Brown from the Livelands is sending her a copy of the affidavit.

Besides these drums that are buried on Buster's property I have heard that there are many more. ~~Buster's partner Ralph Powell said Buster would let trucks go down back & dump & never check to see what they contained~~

I'm living every day in constant threat of my 20 ft shallow well being contaminated. I also know that Buster had a new 150 ft well put in on his property, which also gets me very upset wondering what's wrong with his old well? Plus I found out his wife has throat cancer & is now being treated for it with radiation treatments.

RECEIVED

NOV 22 1983

from

Division of Waste Mgt.

I was wondering is there anyway your office could make the township give us city water?

Buster even threatened me & my family with the Camden Mafia. I called the police & reported this. If it was only a junkyard. How & why does he have connection with the Mafia? Or is it a cover up for illegally dumping of chemicals???

I cannot understand how the township would allow a junk yard in a residential area. The neighbors fought this junkyard back in 1971, but he always had the township on his side & was allowed to continue to operate a junk yard without a license or even a fire safe road. This area is also an extreme fire hazard area. There is documented evidence on record that the neighbors have tried for years to stop this junkyard. Now he is trying to get a license. Mr. Simkins stated, "a junkyard is very dangerous in a residential area."

2

Buster has never got a permit to do anything, putting up building, putting in a new well, putting up a 6 ft. fence, Law stated he had to have a 7 ft. fence but the township changed the ordinance because the junkyard couldn't comply to the ordinances. They are going to make the ordinance comply to the junk yard. Now this is just a little of what I've come up against. He's expanded without any variance, cuts down acres of fine trees without Pineland approval. Burns Copper illegally. Lied to township officials at the 1st meeting. He did receive one fine for cutting down the trees (\$300.00) behind my home. But was never cited for clearing lots 9+10. He has only 1 week left to remove all car + etc. off lots 9+10. Township gave him 45 days he never moved one car they now have given him 2 more wk. He should of been cited + fined after the 45 days.

He does not have cars screened from Public view. It is an eyesore when you ride pass his place. He does have a fence up but in front of his house

there is always 15 or 20 cars sitting
in open ~~view~~ at all times.

Our road is a disaster from
dragging all these junk cars & trucks
up & down every day.

But more than the junkyard I'm
more concerned with the chemicals,
Please Murray & check our water,

God forbid if anything happens
to our children from contaminated
water like over in Jackson.

Thanks in advance for your help

Yours Truly
[REDACTED]



State of New Jersey

IRWIN I. KIMMELMAN
ATTORNEY GENERAL

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW
ENVIRONMENTAL PROTECTION SECTION
RICHARD J. HUGHES JUSTICE COMPLEX
CN 112
TRENTON 08625

MICHAEL R. COLE
ASSISTANT ATTORNEY GENERAL
DIRECTOR

LAWRENCE E. STANLEY
DEPUTY ATTORNEY GENERAL
SECTION CHIEF

JOHN M. VAN DALEN
DEPUTY ATTORNEY GENERAL
ASSISTANT SECTION CHIEF

TELEPHONE 609-292-6917

November 16, 1983
CERTIFIED MAIL R.R.R.

Jeffrey Snow, Esq.
200 Delaware Avenue
P.O. Box 195
Roebling, N.J. 08554

Re: Leonard Perrine t/a Buster's
Junkyard
Pinelands application No. 83-10, 142PB

Dear Mr. Snow:

Please be advised that I represent the Pinelands Commission in the above-referenced matter.

Your client, Leonard Perrine, has cleared and used portions of his property in Pemberton Township without receiving Pinelands Commission approval, in violation of the Pinelands Protection Act, N.J.S.A. 13:18A-1, et seq. and the Comprehensive Management Plan promulgated thereunder.

Because of Mr. Perrine's failure to comply with the aforementioned statute and regulations, the Pinelands Commission has referred the matter to this office for appropriate action.

To avoid litigation in this case, I request that you contact this office within one week of receipt of this letter to verify that your client will comply with the Comprehensive Management Plan forthwith.

RECEIVED

from
NOV 22 1983

Division of Waste

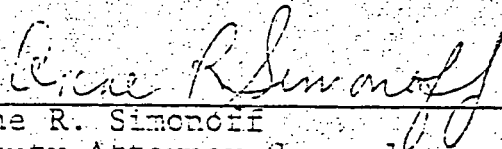
Jeffrey Snow, Esq.
Re: Perrine- No. 83-10
November 16, 1983
Page two

Please take notice that unless you respond to this letter, litigation will be instituted without further notice for both injunctive relief under the Pinelands Protection Act and the maximum statutory penalties pursuant to the Environmental Rights Act, N.J.S.A. 2A:35A-1, et seq.

Very truly yours,

IRWIN I. KIMMELMAN
Attorney General

BY


Anne R. Simonoff
Deputy Attorney General

/gc

cc: Richard Brown
John Gillespie, Esq.

BOARD OF CHOSEN FREEHOLDERS
OF THE COUNTY OF BURLINGTON
MOUNT HOLLY, NEW JERSEY
-64048-

November 15, 1983

RECEIVED

OFFICE OF:
BURLINGTON COUNTY
HEALTH DEPARTMENT
Telephone 267-6631
Area Code 609

NOV 22 1983

Division of Waste Mgt. [REDACTED]

Mr. John Gillespie, Esquire
Severs and Hardt
P.O. Box 605
Burlington, NJ 08016

RE: Chemical Waste Dumping in
Pemberton Township -
Buster Perrine's Junkyard

Dear Mr. Gillespie:

I have enclosed my Affidavit setting forth the facts as I know them relating to a series of chemical waste dumping episodes in the Township of Pemberton during 1975, one of which occurred at property owned by Buster Perrine at the end of Pepper Oak Road in the vicinity of his junkyard. As you will notice in the Affidavit Michael Wardell is also familiar with the facts surrounding the chemical dumpings. While Mr. Wardell is not employed by the County Health Department any longer, he still resides in Burlington County and would probably be willing to submit an Affidavit as well.

I would also like to mention to you that an auto junkyard, by its very nature of operation, is also a real threat to groundwater quality. House-keeping is generally a problem at such facilities and spillage of used oils, transmission fluids, antifreeze and battery liquids is almost unavoidable. Thus, in addition to the chemical waste buried at the Perrine Site, it is reasonable to assume that the existing junkyard may also be affecting local groundwater quality. *our well 15 ft. from junkyard (20 ft. shall well)*

Given our current knowledge regarding the vulnerability of groundwater supplies to chemical contamination, the future location of facilities such as junkyards should be carefully considered by local governing bodies with a view towards aquifer protection.

If I may be of further assistance, please do not hesitate to call.

Yours truly,

Robert W. Simkins
Robert W. Simkins, Supervisor
Office of Waste Management Programs

RWS/bcd

Encl:

cc:

Charles Juliana
Robert Shinn
Henry Metzger

AFFIDAVIT OF ROBERT W. SIMKINS

STATE OF NEW JERSEY)
COUNTY OF BURLINGTON) SS.

I, ROBERT W. SIMKINS, of full age being duly sworn according to law, upon my oath do hereby dispose and say that:

1. I am the Supervisor of the Office of Waste Management Programs of the Burlington County Health Department. In this capacity I am the County Administrative Officer primarily in charge of all solid waste management planning and plan implementation activities performed by the County pursuant to the New Jersey Solid Waste Management Act, as Amended, N.J.S.A. 13:1E-1 et seq. I have been employed in this position since January of 1977.
2. I hold a Bachelor of Science Degree (1972) in Environmental Sciences from Rutgers University. My major area of study while attending Rutgers University was in the field of geology. Therefore, I have expertise in this area and I am quite familiar with the geology and hydrogeology of southern New Jersey and in particular of Burlington County.
3. Prior to my position as Supervisor of the Office of Waste Management Programs, I was employed as an Environmental Health Technician with the Burlington County Health Department since January of 1975. In that capacity, I held a license from the State of New Jersey as a Sanitary Inspector - First Grade. My responsibilities in this position included: a) assessment of the twenty-three existing solid waste disposal facilities within the County with primary emphasis on impacts of landfill-derived leachate and combustible gases; b) development, startup and supervision of a program for groundwater quality screening and monitoring in the vicinity of all active and known closed disposal facilities; c) establishment of a landfill enforcement and surveillance program; d) review of new engineering designs for disposal facilities; e) representing Burlington County during the

development of the 208 Water Quality Management Plan for the Tri-County Area of Burlington, Camden and Gloucester, and f) investigation of complaints related to unauthorized dumping of waste materials. Accordingly, I am familiar with the chemical drum dumping incidences which occurred in the Township of Pemberton during the period of 1975 to 1977.

4. On ~~October 25, 1975~~, acting on information from a resident and municipal official of Pemberton Township, who wishes to remain anonymous, Michael Wardell, an Environmental Health Inspector with the Burlington County Health Department and myself, discovered approximately fourteen hundred (1,400) fifty-five (55) gallon drums of chemicals on property owned by Edward Lang at Block 907, Lots 8 and 9 (~~the Lang Site~~).

5. After bringing this "discovery" to the attention of the New Jersey Department of Environmental Protection ("DEP") the County learned that DEP had earlier uncovered the site on July 2, 1975 and had already brought an action in Superior Court. At that time only 300 drums were on-site. Thus, between the time of initial discovery by DEP in July and the filing of the complaint and the second "discovery" in October, drum dumping continued.

6. The drums deposited at the Lang Site were obviously re-used drums with the original labels and marking obliterated with paint. Many of the drums were punctured open with one-inch diameter holes, allowing the contents to drain out onto the porous soils.

7. The Burlington County Times ran a front page story on the Lang Site shortly after it was discovered by the County along with large, wide angle photographs of the drums.

8. On ~~October 28, 1975~~, Wardell and I responded to an anonymous telephone complaint regarding ~~a second drum site in Pemberton Township~~. The anonymous caller had read the article in the Burlington County Times regarding the Lang Site and wished to bring our attention to another area of drum dumping.

the second site is located off Columbus Avenue at Block 893, Lot 3 on property owned by [REDACTED] of Lakehurst Road, Pemberton, NJ (the "Poinsett Site").

10. The Poinsett Site contained approximately forty (40) fifty-five (55) gallon drums. We suspected that the drums were from the same source as those deposited at the Lang Site since the drums were re-used, had been obliterated in a similar fashion, were punctured in a similar manner, and appeared to have similar variety of chemical waste contents.

11. On October 31, 1975, Wardell and I re-inspected the Poinsett Site and took photographs of the drums.

12. Despite repeated attempts in person and by telephone, the owner of the Poinsett Site could not be contacted at his residence.

13. On November 5, 1975, Wardell and I re-inspected the Poinsett Site a second time to find to our dismay that the drums had either been removed or buried on-site. An area approximately 100'X55' showed evidence of bulldozer tracks and excavation which is evident in photographs of the site taken that date.

14. On November 10, 1975, Frank Hartman, representing the New Jersey Department of Environmental Protection, inspected the Poinsett Site at the request of the County along with Wardell and Edward Harvey, Browns Mills Fire Chief. Mr. Hartman recommended that DEP take no further action despite our concerns that the drums were either buried on-site or had been moved to some other location.

15. The Poinsett Site is extremely close to a highly populated area in Pemberton Township known as Browns Mills which relies entirely on individual water supply wells screened predominately in the shallow water table aquifer. On-site burial of the drums at this site would pose a hazard to these domestic water wells.

16. *Evidently between 10/2 and 11/10 since both sites shown to Hartman on 11/10/75*
~~Shortly after the discovery of the Poinsett Site, the County was alerted~~ to a third site in Pemberton Township; Ed Harvey advised Wardell and I that

responded to a chemical waste fire on Pepper Oak Road in the immediate vicinity of a junk yard on property owned by Buster Perrine of same address at Block Lot , (the "Perrine Site"). Harvey reported that twelve drums of chemicals were on fire in an excavation at the site.

17. On November 10, 1975, at the County's request, Hartman inspected the Perrine Site in the company of Harvey and Wardell. Upon re-inspection it was discovered that the excavation was filled in and the drums buried on-site. Wardell reported the area of excavation was approximately 50' X 75'. Hartman recommended no further action by DEP despite the fact that a) Hartman reported a paint residue smell even after the fire and burial, and b) Perrine and his neighbors were all on individual water supply wells screened in the shallow water table aquifer which would now be threatened by these buried chemical wastes.

18. On November 11, 1975, I inspected the Perrine Site along with Wardell. I observed obvious lingering chemical odors near the excavation area where the drums were buried. It was also obvious to me that the practice of burying drums of chemicals at the site could be easily concealed by the subsequent location of junk materials on the disposal areas.

19. On December 19, 1975, a Final Order of Judgement was issued by Honorable Alexander C. Wood, Superior Court, Chancery Division, in the State of New Jersey, Department of Environmental Protection v. Edward Lang et al. (Docket No. C-95-75) requiring the defendants Edward and Florence Lang to remove within 90 days "all of the chemical wastes, containers and contaminated soil and water from their property [the Lang Site] and dispose of said material at a site registered with the Department of Environmental Protection and approved for disposal of such materials".

20. By April of 1976, the Langs had removed the drums from the site. It was reported by Lang later in Court before Judge Wood that he had contracted with

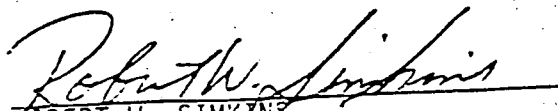
DeLorenzo-Interstate Waste Removal to have the drums removed. Mr. Lang provided Court and DEP with a receipt from DeLorenzo for hauling and disposal. DEP has not been able to determine where DeLorenzo disposed of the chemical drums, even though DEP was supposed to have overseen the operations and designated an approved site or at least DeLorenzo was to have been required to produce a manifest for the waste certifying its proper place of disposal.

21. I suspect that some of the drums from the Lang Property were deposited at the Pemberton Township Landfill which was in operation at the time and located within a half mile of the Lang Site. The basis for this suspicion is that during DEP's investigation of groundwater quality at the Lang Site, similar organic contaminants were detected in the groundwater monitoring wells at the Pemberton Township Landfill, which is hydraulically upgradient from the Lang property and therefore could not be cross-contaminated by the Lang Site.

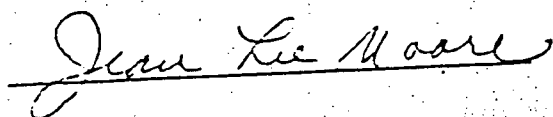
22. I further suspect that the chemical drums at the three locations were from the same source (hauler) and that the individual property owners at each site were aware of all three drum dumpings. The basis for this suspicion is that a) all three site owners were reportedly -- "very close friends" according to public officials and residents of Pemberton Township, b) the drums were deposited on all three properties during the same six month period, July-December 1975, and c) the physical appearance of the drums and manner of puncturing was strikingly similar.

23. In my opinion, both the Poinsett Site and the Perrine Site should initially have several 1½" diameter well clusters (a cluster is two or more wells located together which are screened at different elevations in the subsurface aquifer) installed to establish the groundwater flow regime and these wells should be sampled and analyses performed for priority pollutants. At the same time, any domestic wells in close proximity to these sites which are screened in the water table aquifer should also be sampled and similar analyses performed. Similar testing

refund List. Further delays in documenting groundwater contamination at both sites and its extent of migration may result in substantial increases in clean-up cost or even eliminate the possibility of a reasonably effective clean-up entirely.


ROBERT W. SIMKINS

Sworn and subscribed to
before me this 15th day
of November, 1983.



JEAN LEE MOORE
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Mar. 31, 1986

SEVER & HARDT
COUNSELLORS AT LAW
THE WOODLANDS
JACKSONVILLE ROAD
P.O. BOX 605
BURLINGTON, N.J. 08016
(609) 387-0050

RECEIVED

OCT 15 1983

October 13, 1983

Division of Waste Mgt.

Terrence B. Moore
Executive Director
Pinelands Commission
P.O. Box 7
New Lisbon, New Jersey 08064

Re: Block 524, Lots 5 through 10 and 60
Pemberton Township
Pinelands App. No. 83-10, 142(PB)

Dear Mr. Moore:

Please be advised that I represent a number of property owners who reside on Pepper Road, in the Browns Mills section of Pemberton Township. The above captioned property is familiarly known as Buster's Junkyard. It is surrounded by homes owned by my clients. Buster's Junkyard is operated by Leonard Perrine, who has filed an application with the Township of Pemberton to obtain a license for the use of the property as a junkyard facility. The application was filed on March 3, 1983; hearings were commenced in April, 1983 by the Township Committee. At the April meeting, my clients objected to the issuance of a license and the matter was adjourned to June, 1983. In the interim, I was retained to represent these property owners. The matter has been continually adjourned by the Township of Pemberton since that time and at the meeting last night, which was scheduled to be a public hearing on the issue, the Township Committee adjourned the matter again until December 20, 1983.

I bring this matter to your attention because of numerous violations existing at the site which fly in the face of Pinelands regulations. For example, since 1979, Mr. Perrine has expanded the junkyard considerably to make way for the placement of additional inoperable motor vehicles. Indeed, even the Burlington County Soil Conservation District has recognized that more than 5,000 square feet of soil has been disturbed at the location. Mr. Perrine has cleared a substantial portion of Lot 60 in the past couple of years and has cleared almost all of Lots 5 through 10, as well. Lots 5 through 10 are located in a "high fire hazard area" pursuant to the Pinelands Comprehensive Management Plan Section 6-1101 et seq. Lot 60 is designated as an extreme fire hazard area pursuant to the Management Plan. To my knowledge, Mr. Perrine does not have approval from the Pinelands Commission to develop this area in the manner in which he has chosen to do so. Indeed, my records reflect that on August 23, 1983 Mr. Perrine was advised that his application to the

October 13, 1983

Commission (#83-10, 142PB) was determined to be incomplete and that he was given thirty days to complete the application. (A copy of that letter is annexed hereto). To my knowledge, no new applications have been submitted; yet Mr. Perrine has been given an additional extension to October 27, 1983 to comply. It is beyond me how the Commission can continue to sit back and allow Mr. Perrine to continue to "develop" and violate the Plan so flagrantly. Indeed, as recently as this past weekend, a bulldozer was utilized by Mr. Perrine to clear even more of Lot 60. This was witnessed by Paul Leary, the Construction Code Official for Pemberton Township, as well as Clarence Davis, a Township Committeeman. It should also be pointed out that as of this morning, Mr. Perrine had 19 cars and 2 large tractor trailers (one loaded with tires and the other with lumber) in front of his property and along side the road. Clearly, this too violates Section 6-1009 of the Pinelands Comprehensive Plan. It should also be noted that on July 7, 1983, an inspection was made of the property by members of the Township Committee, the Burlington County Soil Conservation District and Mr. Richard Brown of your office which investigation revealed that many of the gasoline tanks of the vehicles stored on this property had not been drained. This too violates Section 6-1009 of the Comprehensive Plan.

Another reason I bring this to your direct attention is because of the obvious unwillingness of Pemberton Township to do anything about this situation. It has been suggested that the Township itself stores many of its inoperable vehicles at Buster's Junkyard. It has been further suggested that Township trucks have provided landfill (possibly illegally) to Buster's Junkyard. Clearly, if the allegations are true, a conflict of interest would exist which would explain the failure of the Pemberton Township Committee to take any action in this case.

It has also been suggested, but not substantiated, that there are toxic wastes buried at this site. Rumors abound that the toxic chemicals removed from the "Lang property" on Route 70 in the early 1970's were indeed removed to this location. Indeed, the New Jersey Department of Environmental Protection has, with embarrassment, admitted to me that their files do not indicate where the wastes were removed to and in fact, DEP has no idea as to where the wastes were eventually disposed. This is of obvious concern to my clients who rely upon wells for their water supply.

I enclose herewith, to give you a better understanding of exactly what has transpired, a letter written by me on behalf of my clients to the Township Committee in June, 1983. This letter may well give you a better understanding of the situation.

I respectfully request that the Pinelands Commission take action immediately to cause Mr. Perrine to remove his vehicles from Lots 9, 19 and 60. My clients are obviously not receiving any satisfaction from the Township of Pemberton, which refuses to acknowledge its responsibilities and instead prefers to continue to postpone a hearing on the issue; nor from the Burlington County Soil Conservation

October 13, 1983

District which refuses to make good on its threats previously issued to place the matter in the County Solicitor's hands for further action. It is clear that the Pinelands Commission has jurisdiction over this matter; it is even clearer that violations of the Pinelands regulations not only have occurred but continue to occur. This situation is critical. A serious and thorough response to the situation is not only warranted, but necessary.

I would be most happy to discuss this matter with you at length and to provide any further insights that might assist you in reaching a decision. I look forward to hearing from you on this matter.

Very truly yours,

JOHN C. GILLESPIE

JCG:rp
Encl.

cc:

Carrol Pickens, Administrator, Township of Pemberton
Francis J. Banisch, III, Pemberton Township Planner
Richard Brown, Staff Member, Pinelands Commission
Robert Shinn, Burlington County Freeholder
Donald Yarus, Burlington County Soil Conservation District
New Jersey Department of Environmental Protection

SEVER & HARDT

COUNSELLORS AT LAW

THE WOODLANDS

JACKSONVILLE ROAD

P.O. BOX 605

BURLINGTON, N.J. 08016

(609) 367-0050

June 24, 1983

Mayor Stephen Albano, Jr.
and Pemberton Township Committee
Pemberton Township Municipal Building
500 Pemberton-Browns Mills Road
New Lisbon, New Jersey 08064

Re: Buster's Junkyard - Pepper Road

Dear Mayor Albano and Committeemen:

Please be advised that this firm has been retained by six of the property owners on Pepper Road, Browns Mills, Pemberton Township, New Jersey, with regard to the existence of a junkyard owned and operated by one Leonard Perrine, t/a Buster's Junkyard. It appears that Mr. Perrine has made application to the Township of Pemberton for a junkyard license pursuant to the recently adopted Ordinance #23-1982. I am advised by my clients that Mr. Perrine has been expanding the junkyard over the past few years and indeed, has almost tripled the size of the junkyard as it existed prior to 1973. It further appears that Mr. Perrine's application filed with the Township of Pemberton, pursuant to Ordinance #23-1982 to maintain the junkyard which existed prior to December, 1973 might contain inaccuracies of fact regarding the maximum number of inoperable vehicles stored on the premises. It is further apparent that Mr. Perrine has not given proper notice to existing property owners that he intends to seek a license to operate on Lot 60, Block 524. Although it was stated by him at the meeting in April of 1983 that he wished to include Lot 60 as part of his operation, you will note from the notice attached hereto that Lot 60 is not included on his notice to property owners. Accordingly, it appears that even should the Township be predisposed to issue a license to Mr. Perrine, that same license cannot be issued to allow him to operate on Lot 60 (a copy of the notice is attached hereto as Exhibit "A").

June 24, 1983

Additionally, it appears that the Code Enforcement Official, Mr. Earl Piper refuses to enforce the Township Ordinances and has permitted Mr. Perrine to continue to expand his junkyard, which is obviously in violation of not only the newly enacted Ordinance #23-1982 and specifically, Section 9, but also violates the Township Zoning Ordinances, State and County Regulations and the Municipal Land Use Laws of the State of New Jersey. Specifically, Mr. Perrine has been expanding a non-conforming use and has not obtained site plan approval from the Township. Nor has Mr. Perrine obtained the necessary permits from the State of New Jersey Pinelands Commission or the Burlington County Soil Conservation District. The Committee should be aware of the problems experienced by the Pinelands Commission, particularly from the letter dated April 20, 1983 from William F. Harrison, the Assistant Director. I am enclosing herewith as Exhibit "B", a copy of Mr. Harrison's letter. I am advised by the Pinelands Commission and specifically, Mr. Richard Brown, a staff member on the Commission that the State is most displeased with Mr. Perrine's actions and has previously informed him that he must apply through the Pinelands for approval.

I am also advised by Mr. Brown, that Lots 5 through 10 on Block 524 are located on what is known as a high fire hazard area under the Pinelands Comprehensive Management Plan, Part 11, Section 6-1101, et seq. Lots 30 and 60 are in areas designated as extreme fire hazard areas pursuant to the Comprehensive Management Plan. Under Section 6-1103, this Plan states: "no application for development approval shall be granted in moderate high and extreme fire hazard areas and left unless the applicant demonstrates" a number of criteria. Based on conversations with Mr. Brown, Mr. Perrine has not even applied for development approval with the Pinelands Commission. Nevertheless, he has proceeded to cut down a substantial amount of the vegetation on all of these lots and has already placed automobiles on the entire area. Indeed, in some locations and particularly on Lot 60, the automobiles are stacked four to five high.

I am also informed by Mr. Donald Yarus from the Burlington County Soil Conservation District that an inspector was sent to the premises to determine if soil disturbance was occurring. It was learned that over 5,000 square feet of soil has been disturbed with the removal of vegetation to expand the junkyard and therefore, Mr. Perrine was required to file a soil erosion plan through the Burlington County Soil Conservation District. To date, he has not done so and he was served with a violation notice on June 2, 1983. Attached hereto a copy of that notice as Exhibit "C". Mr. Perrine is in violation of N.J.S.A. 4:24-39. I

June 24, 1983

spoke with Mr. Yarus again on Tuesday morning, June 21, 1983 and he informed me that Mr. Perrine has not complied with their requests and has not provided a soil erosion plan as required by the District. Mr. Yarus informs me that he has turned the matter over to the County Solicitor's Office for further action against Mr. Perrine.

This situation is obviously critical. Mr. Perrine's junkyard has now been expanded to within 102 feet of [REDACTED]'s property; Ordinance #23-1982, Section 9.4(c)(2) requires that no motor vehicle be stored within 200 feet of any dwelling house. Mr. Perrine has cut that distance in half in spite of the Ordinance; Mr. Piper has refused to enforce the Ordinance. Additionally, Section 9.4(a) requires a seven foot fence to be installed; Mr. Perrine has installed a five foot variance fence, but has elevated it one-foot above the ground. Obviously, this is in violation of the Ordinance and its intentions; Mr. Piper, however, has advised my clients he will not consider the fence to be non-conforming.

It is believed that the automobiles stored by Mr. Perrine still contain a substantial amount of oil and gasoline and constitute not only a fire hazard in and of itself, but particularly in light of the designation by the Pinelands Commission of these areas as high and extreme fire hazards, this creates a serious and imminent danger to the surrounding property owners. Furthermore, it is believed that Mr. Perrine had applied for a junkyard license in 1973 at which time a number of my clients appeared at the Township Committee meeting to be heard on that matter. It is further believed that Mr. Perrine was denied a license in 1973 and there seems to be no reason for awarding one at this point. Indeed, all of the facts made are against the award of such a license, not only in and of themselves, but particularly in light of Mr. Perrine's blatant and willful disregard of not only the rights and liberties of adjoining property owners, but of State, Local and County Regulations and Requirements.

It is the desire of my clients that the following actions be taken by the Township Committee at its June 30, 1983 meeting:

(1) Order and direct an immediate cessation and termination of the expansion of the junkyard by Mr. Perrine;

(2) Immediately restrain Mr. Perrine from proceeding with any further expansion of the junkyard, via cutting down any more trees and storing any more vehicles, until he has complied with

June 24, 1983

Local, County and State requirements.

(3) Require that Mr. Perrine apply to the Pinelands Commission within thirty (30) days for the necessary approval from that agency and to the Burlington County Soil Conservation District within thirty (3) days for approval from that agency;

(4) Require that Mr. Perrine apply to the Zoning Board of Adjustment of the Township of Pemberton for permission to engage in the expansion of a non-conforming use and for site plan approval;

(5) Require that Mr. Perrine remove all automobiles which presently are within 200 feet for any dwelling house until such time that the above requirements have been met;

(6) Deny Mr. Perrine's application for a license to operate a junkyard on any of the lots which he did not own prior to 1973; and

(7) Ultimately, order that Mr. Perrine return the property to the status quo as existed in 1973, thereby requiring Mr. Perrine to reseed and revegetate the area; this of course, would also be some of the Pinelands Commission requirements which the Township also can require.

The situation at present has resulted in a diminution in value to the property owned by my clients. One real estate appraiser has already informed the Hendricksons that the fair market value of their property as a result of Mr. Perrine's expansion of his junkyard has diminished the value of their property by \$20,000.00. It is hoped that the Township will understand the plight of my clients and demand that Mr. Perrine comply with the local Ordinances and direct him to comply with the State and County Ordinances as well.

~~Additionally, Mr. Perrine has himself admitted that there were chemicals on the property which were placed there in 1973.~~ It is of great concern to my clients that these chemicals might not be biodegradable, but might in fact be toxic and working their way into the water system below the properties. Furthermore, we are curious as to whether or not any other chemicals have been deposited recently on the property which would create a health danger to my clients. It has also been alleged that in order to erect his fence and to further expand the junkyard, Mr. Perrine moved the surveying peg onto Mrs. Hendrickson's property and in fact the fence now encroaches on

June 24, 1983

her property. Although this question might be outside the jurisdiction of the Committee, it does serve to point out the seriousness of the matter and the blatant disregard Mr. Perrine has for the right of his neighbors and his obligations under the Township Ordinances and various other state laws.

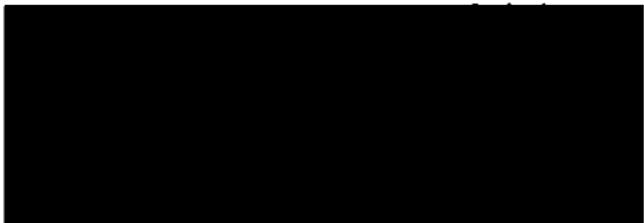
We should like the opportunity to present the case to the Committee on June 30, 1983. We therefore respectfully request that we be permitted to discuss this with the Committee on that date and we shall appear with that purpose in mind. In the meantime, should you have any further questions or should we be of any assistance, please do not hesitate to contact me.

Very truly yours,

JOHN C. GILLESPIE

JCG:rp
Encl.

cc: Mr. Francis P. Bannish, III
William Harrison, Assistant Director, Pinelands Commission
Richard Brown, Staff Member, Pinelands Commission
Donald Yarus, Burlington County Soil Conservation District



TO:

Be advised that the undersigned has applied for the following license(s) from the Township of Pemberton, as marked by "X":

- 1/
(1) Pre-existing nonconforming junkyard license (operating continuously prior to December, 1973)

and/or

- (2) Auto Repair Facility Junkyard (25-car maximum)

As required by Pemberton Township Ordinance 23-1982, notice of a public hearing regarding such application(s) is hereby given:

Please be advised that a public hearing has been scheduled for Thursday, April 21, 1983, at 7:30 p. m. at the Pemberton Township Municipal Building, 500 Pemberton-Browns Mills Road in New Lisbon, New Jersey, with regard to application(s) submitted to the Township of Pemberton regarding one or both of the above-noted type licenses.

SIGNED: _____

(Name of applicant)

BUSINESS TRADE NAME: _____

BUSTER'S GARAGE

BLOCK & LOT NUMBER(s) OF BUSINESS: _____

Block 500, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

EXHIBIT "A"



THE PINELANDS COMMISSION

P.O. Box 7, New Lisbon, N.J. 08064 (609) 894-9342

April 20, 1983

Honorable Stephen Albano
Mayor, Pemberton Township
and Members of Township Committee
P.O. Box 175
New Lisbon, New Jersey 08064

Re: Scrap and Junk Yards

Dear Mayor Albano and Committee Members:

The Pinelands Commission recently has been contacted by residents of the Township concerning the position of the Pinelands Commission and the Pinelands Comprehensive Management Plan in relation to scrap and junk yards. Any existing operation that was operating on February 7, 1979 would not have to apply to the Pinelands Commission for the area of land actually used for a scrap or junk yard on that date. Any subsequent expansion of an existing operation or the opening of a new operation would need to file an application for development. The operator must obtain a Certificate of Filing from the Pinelands Commission prior to issuance of any township license, permit, or approval to operate a scrap or junk yard.

If you have any questions, please contact Richard Brown of the Commission staff.

Sincerely,

William F. Harrison
Assistant Director

WFH/scb

cc: Francis Banisch, III

EXHIBIT "B"

VIOLATION NOTICE

TO: Mr. Leonard L. Perrine

MUNICIPALITY: Pemberton Township

PROJECT: Land Grading & Filling

APPLICATION NO: N/A

BLOCK NO. 524

LOT NO.(s) 38

You are hereby advised of your violation of N.J.S.A. 4:24-19 et seq., the Soil Erosion and Sediment Control Act, Chapter 251, PL 1975. Said violation arises from your failure to comply with the requirements of the Soil Erosion and Sediment Control Plan certified by the Burlington County Soil Conservation District for the above project. The deficiencies found by an inspection on May 20, 1983 are as follows:

<input type="checkbox"/> Construction entrance	<input type="checkbox"/> Headwall stabilization	<input type="checkbox"/> Certificate of Conditional Compliance expired
<input type="checkbox"/> Inlet protection	<input type="checkbox"/> Grading side slopes	
<input type="checkbox"/> Sediment barrier	<input type="checkbox"/> Temporary seeding	
<input type="checkbox"/> Detention basin/ retention basin	<input type="checkbox"/> Permanent seeding	<input checked="" type="checkbox"/> Disturbance prior to approval
<input type="checkbox"/> Swales	<input type="checkbox"/> Mulching	<input type="checkbox"/> Failure to secure Certificate of Compliance
<input type="checkbox"/> Outlet protection	<input type="checkbox"/> Other _____	

REMARKS: A soil erosion and sediment control plan must be submitted immediately.

Your failure to take immediate corrective measures to resolve these violations will result in the filing of a complaint against you under the provisions of N.J.S.A. 4:24-5 the Penalty Enforcement Law wherein you may be subject to fines of up to \$1,000.00 for each and every day during which said violation continues, each day constituting an additional separate and distinct offense. This notice requires your immediate attention.

DATE June 2, 1983

AUTHORIZED SIGNATURE

Donald P. Yarus
DONALD P. YARUS
DISTRICT MANAGER

DISTRIBUTION:

White - District Office
Green - District Solicitor
Yellow - Municipal Construction Official

Pink - Developer/Owner
Goldenrod - Contractor/Superintendent

EXHIBIT "C"

MEMO

NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

TO Charles Krauss

FROM Karl J. Delaney

DATE September 27, 1983

SUBJECT Buster's Garage - Alleged Disposal of Wastes from Lang Property

As discussed, I have reviewed the subject case file (#83-04-28-02S) including the allegations that the subject site received drums of waste from the Lang Property waste site, Pemberton (#81-12-02-005).

It is the writer's conclusion that it is unlikely that the subject site received the waste from the Lang Property surface drum cleanup, April 1976.

Several factors lead the writer to this conclusion as follows:

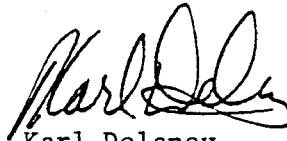
- 1) Cleanup involved an estimated 1500 fifty-five gallon drums (all or most of which were reported to have been punctured by gunshot or axe).
- 2) Various reports indicate that the drums were emptied on-site prior to removal.
- 3) The reported disposal contractor was a Mr. Delorenzo of Landfill and Development Corp. (L&D), Route 38, Mount Holly.

L&D Landfill is known to have received illegal shipments of hazardous waste during its operations.

It is, therefore, my contention that it would have been possible for the Delorenzo trucks to have transported the Lang Property drums (empty or with partial contents) to the L&D Landfill. If the drums had been emptied on-site, this landfilling may not have been a violation, however, the emptying would have been.

- 4) The site of the alleged drum burial, Buster's Garage, was inspected by David Bute and Brian Pettit in April or May 1983. Their observations were that an illegal solid waste disposal facility of very small scale was being operated. Their recommendation was for Solid Waste followup through Frank Hartman. Bureau policy would have been for referral to the County Health Department for enforcement, however, no enforcement referral was present in the file I reviewed. The site also exists as an auto junkyard. No drums were observed at the site. The reports of fire emanating from the soil would not be unpredictable considering the noted spillage of oils and gasoline as is common at auto junkyards.

The lack of tangible evidence and probable reason lead the writer to recommend that the subject case be referred to the Burlington County Health Department for enforcement of Solid Waste Act violations.

A handwritten signature in black ink, appearing to read 'Karl Delaney', with a stylized, cursive script.

Karl Delaney
Senior Environmental Specialist

FOC3:lk
cc:file

MEMO

NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

TO Charles Krauss

FROM Vincent Krisak

DATE September 16, 1983

SUBJECT Buster's Garage - File no. 83-04-28-02S

On April 28, 1983, [REDACTED] notified the Red Lion Field Office and spoke to Vincent Krisak. [REDACTED] informed Mr. Krisak that the former co-owner of Buster's Garage had told her that the drums of chemicals from the Lang Property were buried on the property of Buster's Garage. [REDACTED] would not give the co-owner's name. David Bute and Brian Pettitt were assigned to investigate the complaint. [REDACTED] also stated that in 1971, the local Fire Department was called upon to fight a fire at the junkyard. While proceeding to extinguish the blaze, the engine was engulfed by flames emanating from the soil.

[REDACTED] stated that several inspections were made at the site by local officials who stated to her that there are serious problems at the junkyard, but they would not elaborate on any specific details.

The inspection of the junkyard by David Bute did not reveal any hazardous material stored on-site. Inspectors' Bute and Pettitt did note that an area of the junkyard did contain illegally disposed solid waste. Inspectors' Bute and Pettitt did not discount the fact that hazardous materials may be buried, but the alleged burial could not be substantiated unless test excavations are conducted.

June, 1983, an inspection of Buster's junkyard was conducted to determine if the property owner, Mr. Leonard Perrine had exceeded the limitations of his permit with regards to the actual amount of space he is allowed to store junk cars. The inspection team included the following:

- 1) John Gillespi (Attorney)
- 2) Don Yaros (Soil Conversation)
- 3) Rick Brown (Pinelands)
- 4) Pemberton Township Committee

Mr. Gillespi and Mr. Brown did not detect any stored hazardous materials on-site. They did state that the ground in the areas where the junk cars are stored was contaminated with oils and fluids from the junk vehicles.

July, 1983, Vince Krisak requested the Lang Property files from Jim Croce, the case coordinator. Mr. Ted Metzger (D.E.P. Inspector) does not know the location where 1500 drums were dumped.

Subsequent interviews with various persons involved with the investigation at the site did not provide any details as to where the drums were taken when they were removed from the Lang Property.

The Lang Property file was reviewed, but did not reveal where the drums and contaminated soil were disposed of.

Vince Krisak
Principal Environmental

cc: file

TO Karl Delaney

AT Red Lion

SUBJECT

Buster's Garage file

Case # 83-4-28-023

DATE

9/29/83

Before we terminate investigation I request you to contact [REDACTED] and interview - 1) Was she an eye witness or just hearsay? 2) Does she know any eye witnesses? Unless we get this info I agree - we have nothing to go on and it should be pursued as per your 9/27/83 recommendation.

PLEASE REPLY TO

SIGNED

[Signature]

DATE

SIGNED

REDIFORM 45 469

POLY PAK (50 SETS) 4P 469

SEND PARTS 1 AND 3 WITH CARBON INTACT. -
PART 3 WILL BE RETURNED WITH REPLY.

SEVER & HARDT

COUNSELLORS AT LAW

THE WOODLANDS
JACKSONVILLE ROAD,
P.O. BOX 605
BURLINGTON, N.J. 08016
(609) 387-0050

August 11, 1983

New Jersey Department of
Environmental Protection
RD #1
Route 70
Vincentown, New Jersey 08088

Att: Mr. Vincent Krasak

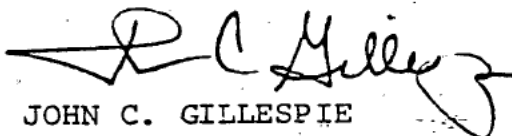
Re: Buster's Junkyard - Pepper Road
Browns Mills, New Jersey

Dear Mr. Krasak:

As you are aware, I represent a number of property owners along Pepper Road, Browns Mills, Pemberton Township, New Jersey, whose properties are situate beside or near the property owned by Leonard Perrine, t/a Buster's Junkyard. Thank you for talking to me today on the phone regarding this matter. I should like to reiterate my request that you keep me advised on behalf of my clients as to your progress in this case and whether or not there is anything that DEP would do. The matter is a very serious one, and the allegations of the toxic dumping seem to be too detailed to be fictitious. I believe there is a real need for not only the placement of monitor wells on both the Hendrickson and Lewis properties (both of which adjoin Buster's Junkyard on opposite sides), but an inspection of the property by one of your representatives would probably be even more beneficial.

Once again, thank you for contacting me and I look forward to hearing from you as the case progresses.

Very truly yours,


JOHN C. GILLESPIE

JCG:rp

cc: 

TO: File

INVESTIGATIVE
REPORT

FROM: F. Hartman

DATE: 11/10/75

SUBJECT: Complaint concerning chemical waste in drums in Leonard Perrine's junk yard (Bl 524 lot 6) on Pepper Oak Rd. 1572F, Browns Mills N.J. 08015. This area is in Pemberton township, Burlington Co. Current Status - 11/10/75

On the above date, D, Ed Harvey, and Mike Wardell (Burlington Co. H.D.) went to the area in question.

we observed that:

- ① the area in the junk yard had been cleared of all drums. (Mike Wardell stated that they had been buried $\approx 50' \times 75'$)
- ② a paint residue smell still was apparent.
- ③ There was no activity on the site at the time of inspection.

cc. to Mike Wardell, Burlington Co. Health Dept.

211

BOARD OF CHOSEN FREEHOLDERS
OF THE COUNTY OF BURLINGTON
MOUNT HOLLY, NEW JERSEY
-68048-

November 15, 1983

OFFICE OF:
BURLINGTON COUNTY
HEALTH DEPARTMENT
Telephone 267-6431
Area Code 609

Mr. John Gillespie, Esquire
Severs and Hardt
P.O. Box 605
Burlington, NJ 08016

RE: Chemical Waste Dumping in
Pemberton Township -
Buster Perrine's Junkyard

Dear Mr. Gillespie:

I have enclosed my Affidavit setting forth the facts as I know them relating to a series of chemical waste dumping episodes in the Township of Pemberton during 1975, one of which occurred at property owned by Buster Perrine at the end of Pepper Oak Road in the vicinity of his junkyard. As you will notice in the Affidavit Michael Wardell is also familiar with the facts surrounding the chemical dumpings. While Mr. Wardell is not employed by the County Health Department any longer, he still resides in Burlington County and would probably be willing to submit an Affidavit as well.

I would also like to mention to you that an auto junkyard, by its very nature of operation, is also a real threat to groundwater quality. House-keeping is generally a problem at such facilities and spillage of used oils, transmission fluids, antifreeze and battery liquids is almost unavoidable. Thus, in addition to the chemical waste buried at the Perrine Site, it is reasonable to assume that the existing junkyard may also be affecting local groundwater quality. *our well is 15 ft. from junkyard (20 ft. shallow well)*

Given our current knowledge regarding the vulnerability of groundwater supplies to chemical contamination, the future location of facilities such as junkyards should be carefully considered by local governing bodies with a view towards aquifer protection.

If I may be of further assistance, please do not hesitate to call.

Yours truly,

Robert W. Simkins
Robert W. Simkins, Supervisor
Office of Waste Management Programs

RWS/bcd

Encls

cc:

Charles Juliana
Robert Shinn
Henry Metzger

STATE OF NEW JERSEY }
COUNTY OF BURLINGTON) SS.

I, ROBERT W. SIMKINS, of full age being duly sworn according to law, upon my oath do hereby dispose and say that:

1. I am the Supervisor of the Office of Waste Management Programs of the Burlington County Health Department. In this capacity I am the County Administrative Officer primarily in charge of all solid waste management planning and plan implementation activities performed by the County pursuant to the New Jersey Solid Waste Management Act, as Amended, N.J.S.A. 13:1E-1 et seq. I have been employed in this position since January of 1977.
2. I hold a Bachelor of Science Degree (1972) in Environmental Sciences from Rutgers University. My major area of study while attending Rutgers University was in the field of geology. Therefore, I have expertise in this area and I am quite familiar with the geology and hydrogeology of southern New Jersey and in particular of Burlington County.
3. Prior to my position as Supervisor of the Office of Waste Management Programs, I was employed as an Environmental Health Technician with the Burlington County Health Department since January of 1975. In that capacity, I held a license from the State of New Jersey as a Sanitary Inspector - First Grade. My responsibilities in this position included: a) assessment of the twenty-three existing solid waste disposal facilities within the County with primary emphasis on impacts of landfill-derived leachate and combustible gases; b) development, startup and supervision of a program for groundwater quality screening and monitoring in the vicinity of all active and known closed disposal facilities; c) establishment of a landfill enforcement and surveillance program; d) review of new engineering designs for disposal facilities; e) representing Burlington County during the

development of the 208 Water Quality Management Plan for the Tri-County Area of Burlington, Camden and Gloucester, and f) investigation of complaints related to unauthorized dumping of waste materials. Accordingly, I am familiar with the chemical drum dumping incidences which occurred in the Township of Pemberton during the period of 1975 to 1977.

4. On October 25, 1975, acting on information from a resident and municipal official of Pemberton Township, who wishes to remain anonymous, Michael Wardell, an Environmental Health Inspector with the Burlington County Health Department and myself, discovered approximately fourteen hundred (1,400) fifty-five (55) gallon drums of chemicals on property owned by Edward Lang at Block 907, Lots 8 and 9 (the "Lang Site").

5. After bringing this "discovery" to the attention of the New Jersey Department of Environmental Protection ("DEP") the County learned that DEP had earlier uncovered the site on July 2, 1975 and had already brought an action in Superior Court. At that time only 300 drums were on-site. Thus, between the time of initial discovery by DEP in July and the filing of the complaint and the second "discovery" in October, drum dumping continued.

6. The drums deposited at the Lang Site were obviously re-used drums with the original labels and marking obliterated with paint. Many of the drums were punctured open with one-inch diameter holes, allowing the contents to drain out onto the porous soils.

-7. The Burlington County Times ran a front page story on the Lang Site shortly after it was discovered by the County along with large, wide angle photographs of the drums.

8. On October 28, 1975, Wardell and I responded to an anonymous telephone complaint regarding a second drum site in Pemberton Township. The anonymous caller had read the article in the Burlington County Times regarding the Lang Site and wished to bring our attention to another area of drum dumping.

The second site is located off Columbus Avenue at Block 893, Lot 3 on property owned by [REDACTED] of Lakehurst Road, Pemberton, NJ (the "Poinsett Site").

1. The Poinsett Site contained approximately forty (40) fifty-five (55) gallon drums. We suspected that the drums were from the same source as those deposited at the Lang Site since the drums were re-used, had been obliterated in a similar fashion, were punctured in a similar manner, and appeared to have similar variety of chemical waste contents.

1. On October 31, 1975, Wardell and I re-inspected the Poinsett Site and took photographs of the drums.

2. Despite repeated attempts in person and by telephone, the owner of the Poinsett Site could not be contacted at his residence.

3. On November 5, 1975, Wardell and I re-inspected the Poinsett Site a second time to find to our dismay that the drums had either been removed or buried on-site. An area approximately 100'X55' showed evidence of bulldozer tracks and excavation which is evident in photographs of the site taken that date.

4. On November 10, 1975, Frank Hartman, representing the New Jersey Department of Environmental Protection, inspected the Poinsett Site at the request of the County along with Wardell and Edward Harvey, Browns Mills Fire Chief. Mr. Hartman recommended that DEP take no further action despite our concerns that the drums were either buried on-site or had been moved to some other location.

5. The Poinsett Site is extremely close to a highly populated area in Pemberton Township known as Browns Mills which relies entirely on individual water supply wells screened predominately in the shallow water table aquifer. On-site burial of the drums at this site would pose a hazard to these domestic water wells.

16. Shortly after the discovery of the Poinsett Site, the County was alerted to a third site in Pemberton Township. Ed Harvey advised Wardell and I that

responded to a chemical waste fire on Pepper Oak Road in the immediate vicinity of a junk yard on property owned by Buster Perrine of same address at Block Lot , (the "Perrine Site"). Harvey reported that twelve drums of chemicals were on fire in an excavation at the site.

17. On November 10, 1975, at the County's request, Hartman inspected the Perrine Site in the company of Harvey and Wardell. Upon re-inspection it was discovered that the excavation was filled in and the drums buried on-site. Wardell reported the area of excavation was approximately 50' X 75'. Hartman recommended no further action by DEP despite the fact that a) Hartman reported a paint residue smell even after the fire and burial, and b) Perrine and his neighbors were all on individual water supply wells screened in the shallow water table aquifer which would now be threatened by these buried chemical wastes.

18. On November 11, 1975, I inspected the Perrine Site along with Wardell. I observed obvious lingering chemical odors near the excavation area where the drums were buried. It was also obvious to me that the practice of burying drums of chemicals at the site could be easily concealed by the subsequent location of junk materials on the disposal areas.

19. On December 19, 1975, a Final Order of Judgement was issued by Honorable Alexander C. Wood, Superior Court, Chancery Division, in the State of New Jersey, Department of Environmental Protection v. Edward Lang et al. (Docket No. C-95-75) requiring the defendants Edward and Florence Lang to remove within 90 days "all of the chemical wastes, containers and contaminated soil and water from their property [the Lang Site] and dispose of said material at a site registered with the Department of Environmental Protection and approved for disposal of such materials".

20. By April of 1976, the Langs had removed the drums from the site. It was reported by Lang later in Court before Judge Wood that he had contracted with

DeLorenzo-Interstate Waste Removal to have the drums removed. Mr. Lang provided Court and DEP with a receipt from DeLorenzo for hauling and disposal. DEP not been able to determine where DeLorenzo disposed of the chemical drums, even though DEP was supposed to have overseen the operations and designated an approved area or at least DeLorenzo was to have been required to produce a manifest for the site certifying its proper place of disposal.

I suspect that some of the drums from the Lang Property were deposited at the Pemberton Township Landfill which was in operation at the time and located within half mile of the Lang Site. The basis for this suspicion is that during DEP's investigation of groundwater quality at the Lang Site, similar organic contaminants were detected in the groundwater monitoring wells at the Pemberton Township Landfill, which is hydraulically upgradient from the Lang property and therefore could not be cross-contaminated by the Lang Site.

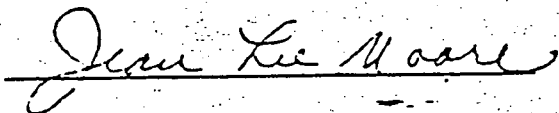
I further suspect that the chemical drums at the three locations were from the same source (hauler) and that the individual property owners at each site were aware of all three drum dumpings. The basis for this suspicion is that a) all three owners were reportedly -- "very close friends" according to public officials and residents of Pemberton Township, b) the drums were deposited on all three properties during the same six month period, July-December 1975, and c) the physical appearance of the drums and manner of puncturing was strikingly similar.

In my opinion, both the Poinsett Site and the Perrine Site should initially have several 1 1/2" diameter well clusters (a cluster is two or more wells located together which are screened at different elevations in the subsurface aquifer) installed to establish the groundwater flow regime and these wells should be sampled and analyses performed for priority pollutants. At the same time, any monitoring wells in close proximity to these sites which are screened in the water table aquifer should also be sampled and similar analyses performed. Similar testing

testing was conducted at the Lang Site which resulted in it being placed on the Superfund List. Further delays in documenting groundwater contamination at both sites and its extent of migration may result in substantial increases in clean-up cost or even eliminate the possibility of a reasonably effective clean-up entirely.


ROBERT W. SIMKINS

Sworn and subscribed to
before me this 13th day
of November, 1983.



JEAN LEE MOORE
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Mar. 31, 1986

INCIDENT REPORT

D.W.M. ASSIGNED CASE NUMBER	83-09-28-0213	HOT LINE	<input type="checkbox"/>	INDEXED	<input type="checkbox"/>
DATE	09-28-83	TIME (Military)	10150	D.W.M. ID NO.	13219

INCIDENT REPORTED BY:

NAME	Confidential	PHONE	
AFFILIATION	Private Citizen	CODE	
STREET			
CITY		STATE	ZIP CODE

INCIDENT LOCATION:

NAME	Busters Garage	PHONE	
STREET	Peapack Rd	UTM VERT	UTM HORIZ
CITY	Ricciardi Millis	COUNTY	0903
STATE		ZIP CODE	

SOURCE OF SPILLED AND/OR DISCHARGED SUBSTANCE: Confirmed ☐ Alleged ☐ More Than 1 Source ☐

COMPANY NAME	Busters Garage	PHONE	
CONTACT	Leonard Perrine	TITLE	
STREET		DEP COMPANY NO.	
CITY		STATE	ZIP CODE

SUSPECTED SPILLED AND/OR DISCHARGED SUBSTANCE: Confirmed ☐ Alleged ☐ More Than 2 Substances ☐

1.	UNK Chemicals in Junk Yard	SUBSTANCE NO.	
AMOUNT SPILLED		UNITS	
A/P/E		S/L/G/M	
2.		SUBSTANCE NO.	
AMOUNT SPILLED		UNITS	
A/P/E		S/L/G/M	

DATE OF INCIDENT		TIME (Military)		TEMP.		WEATHER		WIND (Dir. & Vel.)		
SPILL ORIGIN	Alleged illegal Disposal of Chemical								CODE	
CAUSE									CODE	
WATER BODY AFFECTED									CODE	
ASSOCIATED FIRE AND/OR HAZARDS										

INCIDENT REFERRED TO:

AGENCY	Soiled waste.	PHONE	
CONTACT	Frank Hartman.	AGENCY CODE	

PRIMARY D.W.M. INVESTIGATOR	4-28-83 1240 D. But + B. Pettit	FOLLOWUP	<input type="checkbox"/>
NO FURTHER ACTION	1240 Dan J. But	DATE	

COMMENTS:

Chemical are supposedly stored in the rear of the junk yard. As ^{inspection} was performed by Dave But and Brian Pettit at the above location. The only thing that was found was a soiled waste dump (see photos). Chemical slots or containers could not be found.